

**Clark County Planning Commission**  
**Regular Meeting – 2 p.m.**  
**Wednesday, August 3, 2005**

**County Offices – Municipal Courts**  
**Building**  
**Public Chambers**  
**5th Floor, 50 East Columbia Street**  
**Springfield, OH 45502**

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# ***AGENDA***

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- |  |   |                                    |
|--|---|------------------------------------|
| <b>1. Minutes – July 6, 2005 (Regular)</b> |   | <i>Discussion &amp;<br/>Action</i> |
| <b>2. Subdivision</b><br>SB-2005-7         | <b>Vienna Woods Section Three (Preliminary &amp; Final)</b><br>Pleasant Township ~ 4.009 acres ~ 3 lots<br>at the intersection of Old Columbus Road and Blue Heron Dr.<br>M & M Development Company | <i>Discussion &amp;<br/>Action</i> |
| <b>3. Rezoning Case</b><br>Z-2005-3        | <b>White Oak Communities/Creekside Communities, Inc.</b><br>Mad River Township ~ 14.837 acres<br>7689 Dayton Rd.<br>R-2 to PD-R (Planned Development (Residential) District)                        | <i>Discussion &amp;<br/>Action</i> |
| <b>4.</b> ZA-2005-1                        | <b>County Zoning Amendments</b>   | <i>Discussion &amp;<br/>Action</i> |
| <b>5. Staff Comments</b>                   |   | <i>Discussion</i>                  |
| <b>6. Adjournment</b>                      |   | <i>Action</i>                      |

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# Minutes

## Clark County Planning Commission

Regular Meeting ~ 2 p.m.  
Wednesday, July 6, 2005

County Offices/Municipal Courts Building  
Public Chambers  
5<sup>th</sup> Floor, 50 East Columbia Street  
Springfield, Ohio

Mr. Elliott Turner, Chairperson of the Clark County Planning Commission, called the meeting to order at 2:00 p.m.

Present: Mr. Elliott Turner, Mr. Lowell Bicknell, Mr. Max Cordle, Ms. Diane Jordan (arrived 2:14), Mr. Robert Jurick, Mr. Allen Perkins, Mrs. Regina Rollins, Mrs. Elaine Stevenson, Mr. John Detrick (arrived 2:40), and Mr. David Hartley (left 2:45).

Absent: Mr. Roger Tackett.

### CPC: 7-21-2005: Minutes ~ June 1, 2005 (Regular Meeting)

Motion by Mr. Perkins, seconded by Mr. Cordle to adopt the minutes.

*VOTE: Motion carried unanimously.*

### Z-2005-3 Rezoning Case ~ White Oak Communities/Creekside Communities, Inc. ~ Mad River Township ~ 14,837 acres ~ 7689 Dayton Rd. ~ R-2 to PD-R (Planned Development (Residential) District)

Chairperson Turner announced that Rezoning Case, Z-2005-3, White Oak Communities/Creekside Communities, Inc., Mad River Township was withdrawn by the applicant.

### SB-2005-2 Subdivision ~ The Bluffs at Hunter's Glenn - Section One ~ Final ~ Mad River Township ~ 27.5448 acres ~ 35 lots ~ The Bluffs at Hunter's Glenn LLC

Mr. Philip Tritle, Planning Staff, presented the report for the subdivision submitted by The Bluffs at Hunter's Glenn LLC. He highlighted information contained in the staff report and on the map:

- ◇ The County Engineer finds the final plans are in general compliance with the Technical Specifications governing subdivision development.
- ◇ The Clark Soil and Water Conservation District finds that the revised improvement plans are in general compliance with NPDES Permit requirements.
- ◇ The Clark County Utilities Department recommends that the Section 1 Final plans be approved by the Commission as they relate to utilities contingent upon the applicant submitting an updated project construction cost estimate and obtaining Ohio EPA approvals for the proposed sewer and water systems.
- ◇ The Mad River Township Planning Committee recommends denial based on a list of concerns submitted.

- ◇ The Mad River Trustees concur with the Mad River Township Planning Committee's recommendation for denial.

Planning Staff recommends approval subject to the comments of the County Utilities Department being addressed.

Mrs. Stevenson asked about Mad River Township's concern regarding a water retention provision.

Mr. Tritle responded that when the overall preliminary plan was submitted, there was talk of a retention area in the area to the south (across the road). Both have the same property owner. He pointed out the area on the map. Although there are some natural swales, the retention pond will have to be created. There will be an additional retention area when future development is done.

Mr. Perkins asked if the whole development section is in the flood plain.

Mr. Tritle explained that the flood plain is down over the bluffs and in Mud Run. Mud Run goes through Holiday Valley and the back part of Hunter's Glenn Subdivision.

Mr. Jurick asked about changes that have been made since the preliminary. He wanted to know if the changes were made just to section one, or if they were made to the entire preliminary plan.

Mr. Tritle explained that the street layout for section one follows the preliminary plan. Although the preliminary does not give final engineering details, there are always going to be minor adjustments when you go from preliminary to final such as adjusting an easement or size or location of a retention area. Generally, the original concept will have to be followed as the sections are developed. They may lose a lot if the retention area is not big enough when the final design occurs. There will always be changes in the final phase.

Mr. Jurick had questions (particularly the storm water issue), and requested that any changes from the preliminary be included in the board packet. He also inquired if the retention area will be recorded with section one.

Mr. Tritle answered that the retention area will not be part of the plat, but it could be requested that the easements for the retention area be recorded by the developer as part of this approval.

Mr. Jurick asked who would own and maintain the retention area.

Christine Pence, Clark Soil and Water, explained that the storm water drainage easements and the basin are going to be placed on the county maintenance program. The request has already been approved. That includes two twenty foot easements and entire basin. The developer will still be the owner but the county will maintain these areas. The residents in the subdivision will be assessed through the county ditch program.

# *Minutes*

## *Clark County Planning Commission*

Mr. Jurick asked who would be responsible if there are problems downstream or upstream.

Ms. Pence responded that the County Engineer's office maintains the basin. If there are extensive maintenance procedures that are necessary, the homeowners would be assessed.

Mr. Jurick inquired about the capacity of the basin.

Ms. Pence explained that it will be a dry basin. It will only hold water during heavy rain events. There is a large water shed that turns into a stream. The developer had considered making this into a large lake, but decided to make it just large enough to handle the actual development area. The location of the easements and the storm drainage pipe was designed for future development.

Mr. Perkins asked the representative from the County Engineer's office if an assessment of the road traffic was completed.

Mr. Paul DeButy responded that during phase one, the developer will be required to modify the profile of Enon-Xenia to improve the site distance for the entrance. Site distance is the reason for the improvement. He was not certain if a traffic study has been done.

Mr. Jurick asked Mr. DeButy about the size of the retention area. He asked if it was just for section one.

Mr. DeButy answered that section two might be a tributary for this retention area, but sections three and four are going to a different pond.

Mr. Jurick asked if this is the only development with an off-site retention area. He also asked if there are any problems in these situations.

Mr. DeButy responded that it is not the only development with off-site retention and he does not know of any problems.

Mrs. Stevenson asked Mr. Tritle at what point in time Mad River Township Planning will comment on concerns regarding development map corrections and water retention issues.

Mr. Tritle answered that Mad River Township Planning was given a full set of construction drawings for section one about two weeks ago.

Kathy Estep added that she picked the drawings up after the committee had met, so they have not had an opportunity to review the full set of plans.

Jo Anderson, 3955 Ridge Road, asked what the future use will be for the land on which the retention area is located. Assuming that rezoning occurs, she asked what assurances there are that the retention area will be built.

Mr. Tritle responded that it is zoned agriculture. No rezoning or platting plans have come before the Planning Department. He continued that the development of the retention area is

on the cost estimates. When the roads are built, the developer will be required to bond with the county commissioners regarding the type and cost of the work which will be accomplished. If the work is not completed, the county has the bond to finish the improvements.

Ms. Anderson questioned why the retention pond is off-site.

Mr. Tritle responded that instead of a series of retention structures, the engineer would prefer a more regional approach: larger structures serving larger areas rather than one retention area for every section. He reiterated that the retention area will be on county maintenance and the homeowners will be assessed on their real estate taxes for the maintenance and upkeep of the system.

Mr. Jurick asked about the schedule for building the retention area in relation to construction of the houses.

Mr. Tritle answered that the retention area and the streets will be developed concurrently.

Mrs. Stevenson asked Mr. Howard White, representative of the Mad River Planning Committee, if the concerns of the committee have been addressed. Mr. White said yes, for the most part. He asked if a topographic map was provided to confirm the natural swales.

Mr. Tritle answered that the topographic map is consistent with drainage toward the retention pond.

Mr. White continued that the basic concern of the committee has to do with the phasing of the development.

Kathy Voytko, representative of ACT, read a statement on behalf of the group: "Our concerns for The Bluffs at Hunter's Glenn...the developer's attempts to avoid following the Clark County Land Use Plan. The developer has now elected to reduce the number of lots to 35 and it is our belief that the entire plan should be reviewed as was originally submitted when making your decision. The developer was unable or unwilling to meet your requirements and made an attempt to have the same property considered for annexation to the Village of Enon recently. When that was deemed to be unavailable to him, he returned to the county with a reduced number of lots hoping to receive approval to proceed without addressing the additional lots in the original subdivision."

CPC: 7-22-2005: SB-2005-2 Subdivision ~ The Bluffs at Hunter's Glenn -  
Section One ~ Final ~ Mad River Township

Motion by Mrs. Stevenson, seconded by Mr. Cordle to grant Approval of the final submission for The Bluffs at Hunter's Glenn Section One in Mad River Township.  
Additional comments before vote:

Mr. Jurick repeated that he is uncomfortable that the retention area is not part of the actual area that is being approved.

Mrs. Stevenson again explained that the engineer's office will be maintaining the area and that the developer will be required to post a financial bond that will be forfeited if the work is not completed properly.

Mr. Shane Farnsworth, Clark County Planning Director, interjected that if the improvements are not inspected and approved, the County Engineer will not sign off on the bond therefore, the County Commissioners will not release the bond, therefore, the developer cannot record the plat and sell lots. They have put within their engineering calculations the improvements for this infrastructure, so it must be completed.

Ms. Pence, Clark Soil and Water, stated that the EPA requires that sediment and erosion control, and storm water management are the first things installed (before any other construction begins). This ensures that the rest of the facilities will be installed. The storm pipe(s) must be installed next. Nothing else can be done on a subdivision until the basin and storm pipe are installed off-site.

Mr. White, Mad River Township Committee, requested that the board table the motion until the board receives a revised cost estimate from the developer.

Mr. Luis Riancho, project surveyor, pointed out that the Engineer's Office and Clark Soil and Water preferred to have a regional basin and this was shown on the preliminary plan before it was approved. The changes on the preliminary plan were very minor. The footprint of section one was cut down to better control the drainage without having to create another retention basin. That was the reason for making section one smaller; it was strictly a drainage situation. He stressed that this facility is not "off-site". The entire property (200 acres) is owned by The Bluffs at Hunter's Glenn, LLC. so in this instance, it may be off-site in relation to section one although the entire property is owned by the same entity. When this section is rezoned, then the footprint for the area will better show future plans. He stated that all issues have been addressed and asked if there were any further questions.

*VOTE: Motion carried unanimously.*

SB-2005-6 Subdivision ~ Northridge Subdivision - Section 30 A ~ Final ~ Moorefield Township ~ 11.340 acres ~ 33 lots ~ Michael K. and Sherri L. Hufford

Mr. Philip Tritle, Planning Staff, presented the report on the subdivision submitted by Michael K. and Sherri L. Hufford. He highlighted information contained in the staff report and on the maps. Staff recommends approval of the Final Plans of Northridge No. 30A subject to the following:

1. The issues/comments of the LIS Dept., Soil Conservation Office, and County Utilities Dept. must be addressed.
2. The property must be transferred to the new owner prior to Certification by the County Planning Director -OR- the "Acknowledgment Statement" must be changed to reflect the "Owner" of record.

3. The Final PD-M Plan must be recorded in the County Recorder's Office prior to Certification by the County Planning Director.

John Detrick, Clark County Commissioner, presented comments on behalf of the Moorefield Township Trustees: There is concern on the part of the Moorefield Township Trustees regarding continued expansion, specifically condos, not houses. Questions can be directed to Bob Mounts.

Mrs. Stevenson asked why they are concerned about condos and not houses.

Mr. Detrick explained that the trustees are experiencing pressure from the school board because of the difficulty in passing a levy. The trustees are not anti-development. It is strictly a financial issue. He stressed that he is not speaking against this project.

Mr. Perkins pointed out that the last time this case came before the board, there was concern about the retention area.

Mr. Tritle said that the plan is in place.

Mrs. Stevenson asked Mr. Tritle if the Engineer's Office is satisfied with the capacity (to handle the watershed) as it is designed.

Mr. Tritle answered that as far as he knows, they (the Engineer's Office) are satisfied with the drainage as shown on the plan.

Mr. Terry Hoppes, project engineer, explained that there are two watersheds. The original fifty acres of the Haerr property is roughly split down the middle. This subdivision goes into the eastern watershed, which goes into a detention basin at the extreme south end of the property north of Moorefield Rd. From there it flows over into an offsite pond, into a drain pipe, flows down through the township park, down into the Northridge Subdivision into a storm sewer.

Mrs. Stevenson questioned Christine Pence, Clark Soil and Water about her lengthy list of items which need to be addressed.

Ms. Pence stated that a majority of the items have been addressed verbally. Mr. Hoppes has submitted a revised set of plans. Other items are not major enough to hold up final approval, but they will have to be addressed. Buffering may be addressed in the next phase. They are proposing a detention basin that will be placed on county maintenance. Ms. Pence is requesting that the existing storm water easement, which had been transferred to the Haerrs, be transferred to the County Engineer's Office as part of maintenance.

Mr. Tritle added that when the preliminary subdivision plan was submitted, Mr. Hoppes was asked about the landscape plan. Mr. Hoppes included in the written PD plan that "landscaping and buffering will be in accordance with the existing Clark County Zoning Regulations" providing for screening between commercial and residential areas.

# Minutes

## Clark County Planning Commission

Mr. Farnsworth added that the layout will have to be shown in the final PD plan as it is recorded. The board will see it in the next phase.

CPC: 7-23-2005: SB-2005-6 Subdivision ~ Northridge Subdivision - Section 30A  
~ Final ~ Moorefield Township

Motion by Mr. Perkins, seconded by Mrs. Rollins to grant Approval of the final submission for Northridge Subdivision-Section 30A in Moorefield Township.

*VOTE: Motion carried unanimously.*

Z-2005-4 Rezoning Case ~ James L. Watt ~ Mad River Township ~ 27 acres ~ southwest corner  
of Fowler Rd. and Fairfield Pike ~ A-1 to R-1 (Rural Residential District)

Mr. Tritle presented the report on the rezoning case submitted by James L. Watt. He highlighted information contained in the staff report and on the map. Staff recommended approval. Staff noted:

1. A "non-building" / "open space" easement along Clear Creek will be considered as part of the plat when this area comes back for review and approval under the County Subdivision Regulations.
2. The final number of lots will be determined by the County Health District's requirements and/or the County Engineer's access limits.

Mr. Jurick questioned whether an AR-2 zoning designation might be more appropriate than an R-1 in this instance. He also asked about Health Dept. input regarding test holes.

Mrs. Stevenson expressed concern regarding driveway access to Fowler Road. She was surprised that the County Engineer's letter did not more strongly recommend improvement to that situation.

Paul DeButy, Clark County Engineer's Office, stated that in general the Engineer's Office would look at each driveway location to make sure that site distance requirements are met. If not, they may require one common access drive.

Mr. Farnsworth added that if zoning were to be approved, a profile of Fowler Road would have to be completed to determine compliance with the county's technical standards regarding site distance. Subdivisions have been developed that look linear on paper but have one access point and one parallel drive. In this case, the drive would parallel Fowler Road and service the properties. This will come in at the subdivision stage when engineering is involved. For this rezoning, we are looking at land use and density.

John Detrick, Clark County Commissioner, delivered a message from Mad River Township Trustee, Bob McClure. Mr. McClure has reservations regarding visibility and linear development. There is also concern regarding the slope of the lots toward the back. (remainder of statement is inaudible).

Mrs. Stevenson asked about Mad River Township Planning Committee's determination that this proposal does not meet the requirements of the Clark County Crossroads Comprehensive Land Use Plan.

Mr. Tritle responded that he assumes that this is based on the linear aspect of the development versus having interior road frontage.

Howard White, Mad River Township Planning Committee, stated that the main concern regards linear development. There are also concerns about the topography of the land and multiple driveways. Also, the township comprehensive land use plan calls for no development without central sewer and water. From the committee's perspective, the township comprehensive land use plan would argue that the Clark County Planning Commission should deny this rezoning request.

Kathy Estep, Mad River Township Trustee, stated that the trustees concur with the planning committee. She added that this appears to be an attempt to bypass the 40 acre agricultural lot split which was established to prevent this type of development. The landowner used potential lotsplits so he is coming back with the R-1 zoning request. The concern is that this property could change hands. This land could stay undeveloped for several years and a new board might then allow one acre lots on this property.

Earlier in the meeting, Kathy Voytko, representative of ACT, read a statement (regarding the rezoning case) on behalf of the group: "We have concerns for the fact that Clark County no longer agrees with linear development and yet this proposal would allow seven lots to be placed in a line which would constitute linear development. The hilly terrain of this location creates a (potentially) dangerous traffic problem, as alluded to in the engineer's findings. This part of the township already has a number of traffic issues. In closing, we would like to make the point that we, as citizens of Mad River Township, in Clark County, elect officials to represent our best interests in the decision making process. They in turn appoint panels, such as this, to make decisions based on the land use plan and all information available from county and community sources. Therefore, we request that you strongly consider the recommendation of the Mad River Township Committee and Trustees and deny the request until all issues are resolved."

Andrew Hellmuth, representative of James Watt, stated the ground falls from the right to the left with a couple of swales. The proposed layout takes advantage of the high ground and the swales by putting homes on the promontory so that the houses would have back views across the creek. The planning staff does not have the results of the Health Department which has approved four lots. There is an existing house on lot six. Lot five will be eliminated. The owner has also expressed concern regarding access and is willing to put in a parallel driveway. Lot six has access on Fairfield Pk.

CPC: 7-24-2005: Z-2005-4 Rezoning ~ James L. Watt ~ Mad River Township

Motion by Mr. Perkins, seconded by Ms. Jordan to recommend **Denial** to the Rural Zoning Commission for the request of James L. Watts to rezone 27 acres located on

# Minutes

## Clark County Planning Commission

the southwest corner of Fowler Rd. and Fairfield Pk. From A-1 (Agricultural District) to R-1 (Rural Residential District)

### *VOTE:*

*Yes Mr. Cordle, Ms. Jordan, Mr. Jurick, Mr. Perkins, Mrs. Rollins, and Mrs. Stevenson*

*No Mr. Bicknell*

*Abstain Mr. Detrick*

*Motion to recommend denial is carried*

### Staff Comments:

None.

### Board Comments:

Mrs. Stevenson asked that the Planning Director communicate with the Mad River Township Trustees to address their concerns and present the board with a response at the next meeting.

Regarding the statement that "Clark County no longer agrees with linear development" (made by Kathy Voytko, representative for ACT, during presentation of the James L. Watt rezoning case), Mrs. Stevenson stated that she is not sure that this is a correct statement. It is her understanding that we are encouraging cluster development and planned communities.

Mr. Farnsworth responded that we have created opportunities through shared driveways, parallel drives, and parallel roads so that developers don't do linear subdivision. The lots are linear but the issue itself is not the lots, the issue is the curb cuts. That is the traffic hazard. The only other option is to build a street and go back into the development. This means higher density. This is not what Mad River wants to achieve, because it is in conflict with the Comprehensive Plan.

Mr. Cordle suggested that a letter of response be sent to the ACT Committee.

Mr. Perkins asked that a request be sent to county agencies asking that representatives from each department be present at meetings.

### Adjournment

#### CPC: 7-2005-25: Adjournment

Motion by Mrs. Rollins, seconded by Mr. Perkins to adjourn the meeting.

*VOTE: Motion carried unanimously.*

The meeting was adjourned at 3:55 p.m.

# *Minutes*

*Clark County Planning Commission*

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Mr. Elliott Turner, Chairperson

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Mr. Shane Farnsworth, Secretary

NOTE FOR MINUTE BOOK: See additional information included following the minutes.

## **Vienna Woods - Sec. Three (Preliminary & Final)**

To: Clark County Planning Commission	Date of Meeting: August 3, 2005
From: Planning Staff	Date of Report: July 26, 2005

Subdivision Location: Pleasant Twp. - VMS 4532

Owner: M&M Development Co.  
Developer: M&M Development Co.  
Surveyor: Hoppes Engineering & Surveying Co.  
Engineer: Hoppes Engineering & Surveying Co.

Request: To subdivide 4.009 acres into 3 single-family residential lots  
Facilities: On-site individual water & sewage

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### **Platting History**

Vienna Woods Section One-A was recorded in 1999. Vienna Woods Section One-B was approved in May 2004 but has not been recorded. Vienna Woods Section Two was approved on April 6, 2005. This property was zoned R-1 as part of the adoption of township zoning by Pleasant Township.

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*Below are comments from the various county agencies:*

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### **County Engineer**

The County Engineer has reviewed the plans for Vienna Woods - Section Three, including additional revisions received on July 19, 2005. The plans, record plat and cost estimate are in general compliance with the Subdivision Regulations and Technical Specifications, relative to street & lot layout, roadway and drainage design.

The County Engineer has no objection to the proposal to subdivide 4.009 acres into three lots, including the extension of George Allen Drive. (see July 26<sup>th</sup>, 2005 memo)

### **Soil & Water Conservation**

The Clark Soil & Water Conservation District has reviewed the preliminary/final plans. At this time, the plans are in general compliance with NPDES Permit requirements. (see July 13<sup>th</sup>, 2005 memo)

**Pleasant Township Trustees and  
Pleasant Township Zoning Inspector**

The Pleasant Township Trustees and the Pleasant Township Zoning Inspector indicate that plans are satisfactory as submitted.

**County Health District**

At the April 21, 2005 meeting of the Clark County Board of Health, approval was granted for the Vienna Woods Subdivision (14 lots) with standard stipulations. (NOTE: The approval for 14 lots include 11 lots in Sec. Two & three lots in Sec. Three)

**County Planning**

This property is classified by the Clark County Land Use Plan as Low density residential development (2 to 4 dwellings per acre - gross density) where such development can be serviced by central water and sewer service. Neighborhoods should be designed to connect with existing adjacent residential areas through stub street extensions. Clustering techniques should be considered to provide a transition to rural areas. Supporting commercial uses are not appropriate given the low density.

The applicant's engineer has requested a variance of the Subdivision Regulations in regards to dedication of right-of-way per the Clark County Thoroughfare Plan. The Thoroughfare Plan indicates that Old Columbus Road as a Secondary Arterial which is an 80' Right-Of-Way (r-o-w). The plat as submitted only dedicates 30' (half r-o-w) instead of the required 40' (half r-o-w). It should be noted that when Vienna Woods Sec. One was platted, the Thoroughfare Plan at that time only required 60' (30' half) r-o-w. Since this request only involves one lot width, the additional 10' of r-o-w would not make an appreciable difference. We therefore recommend approval of this variance of the the Subdivision Regulations/Thoroughfare Plan

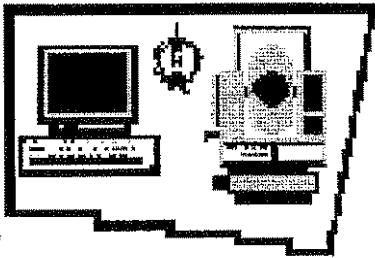
**Recommendation**

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The Staff recommends approval of the Preliminary and Final Plans for Vienna Woods - Section Three including the variance for the Thoroughfare Plan Right-of-Way.

**Attachments:**

County Engineer's Letters  
Soil and Water Conservation District's Letter  
County Health Board action  
Request for Thoroughfare Plan variance  
Location Map  
Preliminary Plat  
Final Plat



Clark County  
Engineer's Department  
4075 Laybourne Rd Springfield, Ohio 45505-3613  
Bruce C. Smith, P.E., P.S.  
Clark County Engineer

Office # (937) 328-2484

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[www.clarkcountyohio.gov/engineer](http://www.clarkcountyohio.gov/engineer)

July 26, 2005

Clark County Planning Department  
25 W. Pleasant Street  
Springfield, OH 45506  
Attention: Phil Tritle, Senior Planner

Re: SB-2005 -7  
Vienna Woods - Section Three

Mr. Tritle,

The County Engineer has reviewed the plans for Vienna Woods - Section Three, including additional revisions received on July 19, 2005. The plans, record plat and cost estimate are in general compliance with the Subdivision Regulations and Technical Specifications, relative to street & lot layout, roadway and drainage design.

The County Engineer has no objection to the proposal to subdivide 4.009 acres into three lots, including the extension of George Allen Drive.

Sincerely,

Bruce C. Smith P.E., P.S.  
Clark County Engineer

Kenneth D. Fenton, P.S.  
Deputy Engineer

Donald Boyle - Road Superintendent  
Paul W. DeButy P.E. - Design Engineer  
Kenneth D. Fenton, P.S., Deputy Engineer  
Doug Frank - Bridge Superintendent  
Pamela Fulton - Office Assistant

William A. Pierce, P.S. - LIS Director  
Shayne Gray - GIS/CAD Coordinator  
Mark Niccolini - Ditch Maintenance Supervisor  
Lew Richards - Traffic Supervisor  
Ned G. Weber, Deputy Engineer



4400 Gateway Blvd. - Suite 103  
Springfield, Ohio 45502

Phone (937) 328-4600/4601  
Fax (937) 328-4606

*With the Right to Own - Goes the Duty to Conserve*

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**BOARD OF SUPERVISORS**  
Paul Snyder, Chairman  
Alan Donaldson, Vice Chairman  
John Ritter, Treasurer  
David Stickney, Fiscal Agent  
Adam Agle, Secretary

July 13, 2005

Mr. Phil Tritle  
Clark County Planning Department  
25 West Pleasant St.  
Springfield, OH 45506

Re: Vienna Woods Section 3-Preliminary/Final

Mr. Tritle,

The Clark Soil & Water Conservation District has reviewed the preliminary/final plans. At this time, the plans are in general compliance with NPDES Permit requirements.

Respectfully,

Christine Pence, CPESC  
Urban Coordinator

CC: Hoppes Engineering  
Dean Fenton, County Engineer's Department

Message

**Kelly Stickney**

**From:** Jacquie Thornburg  
**Sent:** Monday, July 18, 2005 3:13 PM  
**To:** Kelly Stickney  
**Subject:** FW: Subdivision Approval

Post-it® Fax Note 7671		Date 7-18-05	# of pages 1
To	Phil Tittle	From	Kelly
Co./Dept.	Planning	Co.	Health Dept.
Phone #		Phone #	390-5600
Fax #	328-2621	Fax #	

Re: Vienna Woods Subdivision

R 46-05      A resolution to issue preliminary and final approval for the Vienna Woods Subdivision (14 lots) with standard stipulations.  
 Moved by: Ms. Weaver  
 Seconded by: Mr. Young

Mr. Bartos	Yes
Mr. Young	Yes
Ms. Rice	Yes
Ms. Weaver	Yes
Mr. Elliott	Yes
Mr. Foster	Yes
Mr. Colvin	Yes
Dr. Feagins	Yes

Motion carried.

(From the April 21, 2005 BOH meeting). Is this what you need?

Jacquie Thornburg  
 Administrative Assistant II  
 Clark County Combined Health District  
 529 East Home Road  
 Springfield, Ohio 45503  
 ☎ (937) 390-5600 x 242  
 📠 (937) 390-5626  
 📧 [jthornburg@ccchd.com](mailto:jthornburg@ccchd.com)

**From:** Kelly Stickney  
**Sent:** Tuesday, July 12, 2005 8:35 AM  
**To:** Jacquie Thornburg  
**Subject:** Subdivision Approval

When you get a chance, I need a copy of the BOH section for the approval of Vienna Woods. This was presented at the April 05 meeting. Thanks! Kelly

7/18/2005

HOPPES ENGINEERING AND SURVEYING COMPANY

1533 MOOREFIELD ROAD  
SPRINGFIELD, OHIO 45503.5798  
PHONE: 937.399.1532  
FACSIMILE: 937.399.1534



Clark County Planning Commission  
25 West Pleasant Street  
Springfield, OH 45506

Attn: Phillip H. Tritle

July, 14, 2005

Dear Phil,

Pursuant to our conversation at today's Technical Review Committee, I hereby request, on behalf of the owner, Steve Miller, a variance in the required road right-of-way width for Old Columbus Road. The current requirement is for a 40-foot right-of-way dedication along Old Columbus Road. This is pursuant to recent changes in the thoroughfare plan. I would like to here by request a 30-foot right-of-way which is consistent with the previous thoroughfare plan.

Favorable consideration of this request will allow the latest Vienna Woods Development to be consistent with the previous section of Vienna Woods, recorded only in the last couple of years.

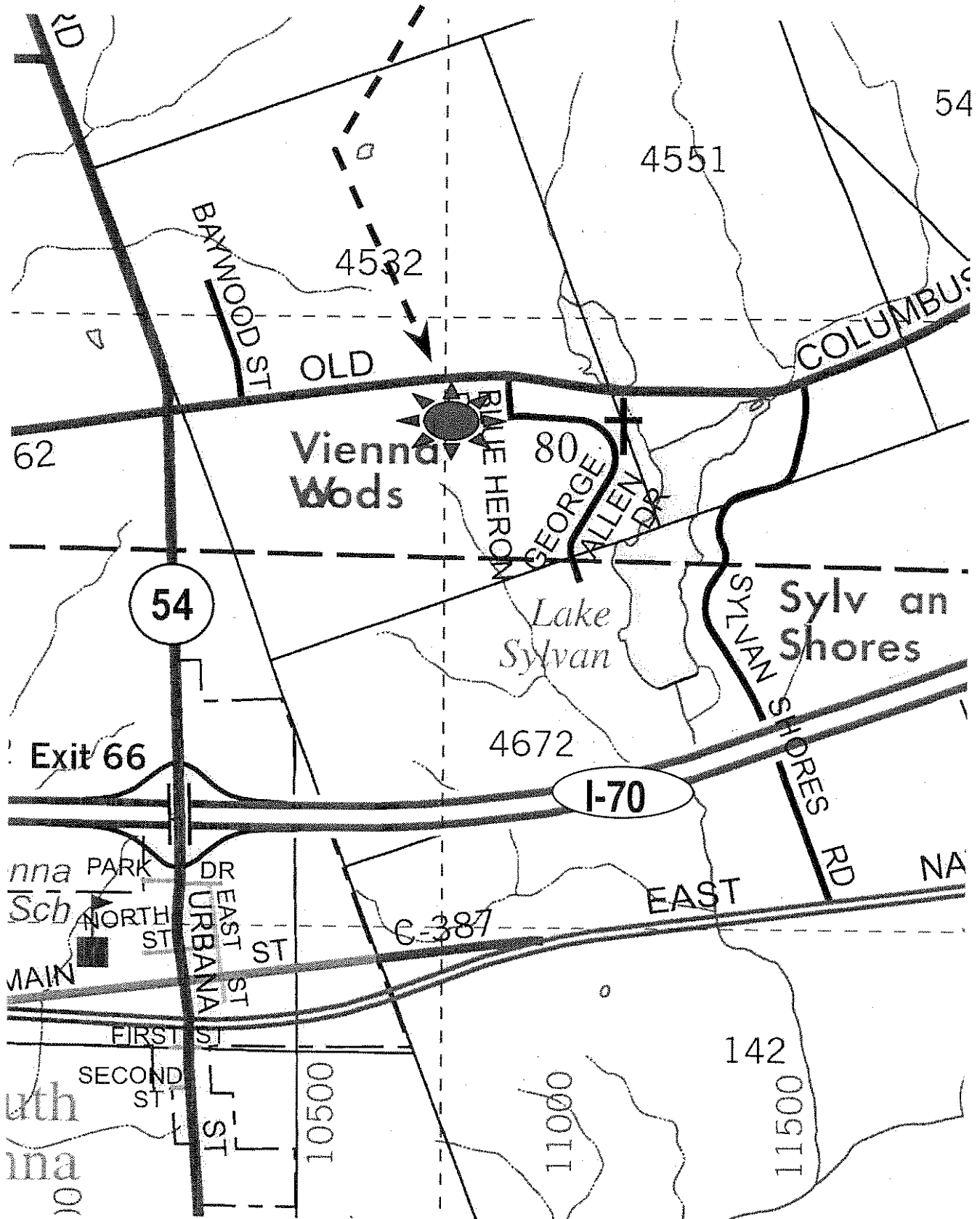
Thank you for your kind attention.

Very truly yours,

Terry A. Hoppes

TAH/hls  
Tritle, P-CCPC

# LOCATION MAP

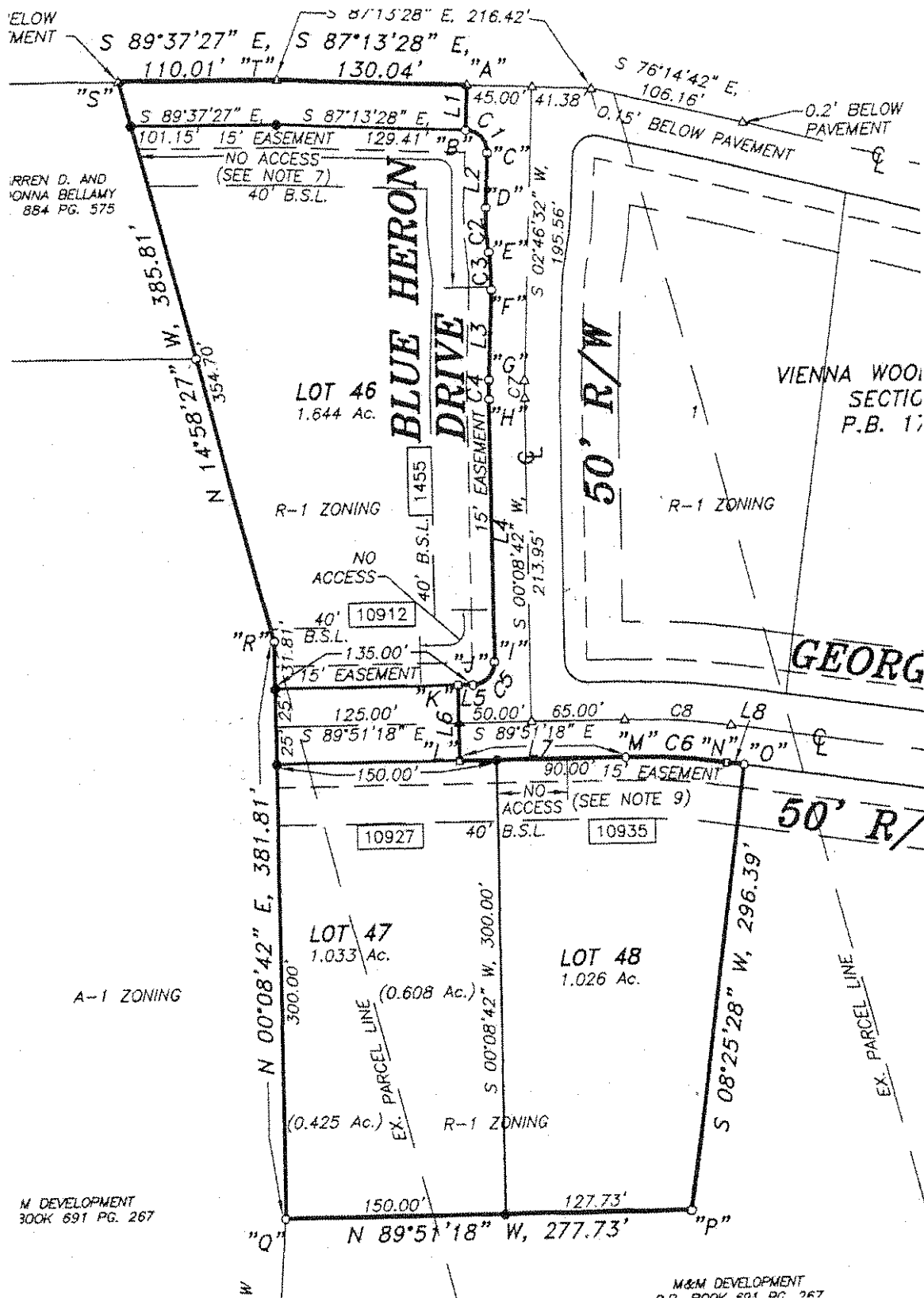


**SUBDIVISION VIENNA WOODS SEC. 3**  
**Preliminary & Final Pleasant Twp.**

51-100-0015



## FINAL MAP



**SUBDIVISION VIENNA WOODS SEC. 3**  
**Preliminary & Final Pleasant Twp.**

## Rezoning Case # Z-2005-3

To: Clark County Planning Commission	Date of Meeting: August 3, 2005
From: Planning Staff	Date of Report: July 26, 2005

**Applicant:** White Oak Communities / Creekside Communities

**Request Action:** Rezone **from - R-2** (Low Density Single-Family Residence District)  
**to - PD-R** (Planned Development [Residential] District)

**Purpose:** To develop a Planned Condominium Community

**Location:** 7689 Dayton-Springfield Rd.

**Size:** 14.836 Acres

**Existing Land Use:** Agriculture (undeveloped)

### Surrounding Land Use and Zoning:

	Land Use	Zoned
North	Commercial & Condos	B-2, B-1S, PUD, PCD & B-3
South	Residential & Agriculture	A-1 (Agricultural) & R-2
East	Agriculture	A-1 (Agricultural)
West	Residential	R-2 (Low Density Residence)

### ANALYSIS

This area was zoned R-2 (Low Density Residence) in 2001. In 2000, this area was requested to be rezoned to R-4 (Multiple-Family Residence) District but was withdrawn. This request was submitted for the July County Planning Commission meeting but was withdrawn for one month to allow additional time to modify the PD-R Plan.

## **REPORTS FROM OTHER AGENCIES**

### *County Engineer*

The County Engineer has reviewed the revised zoning application submitted for Creekside Condominiums, relative to the street layout/drainage system and offer the following comments relative to Chapter 4, Section A Paragraph 4;

- 1) Direct access to a major Street is required, where the development density exceeds 4 units per acre. This plan indicates 5.77 units per acre. There is no existing major street, which provides access to the proposed development, although the plan does show a proposed public road being planned from Dayton Road south and extending approximately 1400 feet.

- 2) The proposed public street must meet or exceed collector street design standards for pavement width, composition and pedestrian traffic. The public road typical section proposed does not currently meet that requirement. These items are not typically reviewed or approved during the zoning process, but instead during the subdivision submission.
- 3) There is no street lighting proposed.
- 4) Provisions for vehicular traffic are addressed by proposing a private street system, consisting of an uncurbed street with enclosed side swales.
- 5) Concerning drainage & stormwater requirements, the site developer will be required to provide storage for stormwater runoff in accordance with local regulations. An outlet is available on site and the actual design will be incorporated into the site design, if approved.

The County Engineer has no objection to the proposal to rezone 14.837 acres from R-2 to PD-R Planned Development Residential, subject to the above comments..

*(See July 26, 2005 letter)*

### ***Soil Conservation***

The Clark Soil & Water Conservation District has reviewed the above request and provided the following comments regarding soils, drainage and stormwater management.

Soil types on this site include Eldean (EmA), which are nearly level and well drained. Soil limitations for dwellings with or without basements are rated Slight-Moderate due to shrink/swell. Because sewer and water is available, the Soil Potential Index ratings are not included.

Construction activities which will result in the disturbance of one or more acres of land must obtain coverage by the National Pollutant Discharge Elimination System (NPDES) permit. The owner/developer shall submit a Notice of Intent application to Ohio EPA at least 21 days prior to the start of construction. The NPDES Phase II Construction Permit was finalized in 2003 and requires additional components to address stormwater in developments. One specific component includes Post-Construction Stormwater Management. A combination of both structural and non-structural BMPs should be utilized, such as grassed swales, infiltration trenches and basins, and greenspace. It is recommended that a "preliminary SWPPP" be provided to our office for review prior to submittal of final plans to County Planning.

### **Chapter 4 ~ Planned Development District Requirements and Procedures**

#### **Section A. 6 Criteria for Approval.**

**h) That commons areas and open space will be managed and maintained for the long term.** Specify how the open areas, specifically along Mud Run will be maintained. Although plans have indicated that the floodplain will be left undisturbed, additional information is needed regarding ownership and maintenance of the area.

#### **Section A. 8. Preliminary PD Plan**

**10) Location and size of proposed open space, and whether it is to be used for active recreational purposes or only as an environmental amenity.** Specify how the open areas, specifically along Mud Run will be maintained. Although plans have indicated that the floodplain will be left undisturbed, additional information is needed regarding ownership and maintenance of the area.

This office does not object to the proposed zoning request, providing the above items are addressed.  
*(See July 26, 2005 letter)*

### ***County Utilities Department***

The Clark County Utilities Department has reviewed the preliminary plan set for Creekside Condominiums prepared by Buckeye Civil Design, LLC. The plan set consists of two (2) plan sheets. Our review comments for the referenced plan set are attached.

Based on our review, we recommend that the Commission approve the preliminary plans as they relate to utilities contingent upon the plans addressing the attached comments and the property being re-zoned. Note that our review and conditional approval of the plans does not preclude future review and comments of the final development plans by the Utilities Department. *(See June 15, 2005 letter)*

<b>CLARK COUNTY UTILITIES DEPARTMENT REVIEW COMMENTS</b>			<b>PROJECT: Creekside Condominiums</b>
			<b>Dated Received: 6-9-05</b>
			<b>Plot Date: 5-18-05</b>
			<b>Prepared By: Buckeye Civil Design</b>
			<b>Reviewed By: C. Bauer</b>
<b>Item</b>	<b>Description</b>	<b>Sheet/Pg Ref.</b>	<b>Comment</b>
1	Extension of waterline along Hunter Drive	1 of 2	Extension of a 12-inch diameter public waterline will be required from Dayton-Springfield Road to the southern terminus of Hunter Drive. An 8-inch waterline will also be required from the 12-inch line on Hunter road to interior condominium waterline loop.
2	Water/sewer lines	1 of 2	Clarify if the proposed utilities within the condominiums are intended to be public or private.
3	Water/sewer capacity	NA	There is adequate sewer and water system capacity for the proposed development. The Department will present a summary of system capacities as they relate to this project under separate cover.
4	Ohio EPA Approvals	NA	Ohio EPA approvals for the sewer and water systems are required.

### ***Combined Health District***

No report - development on public sewer & water

### ***Mad River Township Planning Committee***

This proposal does not meet the requirements of the Clark County Crossroads Comprehensive Land Use Plan, and therefore the Mad River Township Planning Committee recommends denial of the project. *(See June 20, 2005 letter)* [NOTE: the developer has indicated that he has met with Mad River Township since June 20<sup>th</sup> and explained the latest plans and received a favorable response at the meeting.]

### ***Mad River Township Trustees***

The Mad River Township Trustees have reviewed the memoranda from the Mad River Township Planning Committee pertaining the proposal regarding the . . . "Creekside" property. We concur with their comments and recommendations. *(See June 20, 2005 letter)* [NOTE: the developer has indicated that he has met with Mad River Township since June 20<sup>th</sup> and explained the latest plans and received a favorable response at the meeting.]

### ***Planning Department***

The Clark County Comprehensive Plan identifies this area as Medium density residential development (4 to 6 dwellings per acre - gross density) and should be directed to existing residential growth areas, where it can be serviced by central water and sewer service. New residential development should not be located in close proximity to established or planned industrial areas. Supporting commercial uses are appropriate, but only at key intersections.

We have received a letter from a surrounding property owner which is included with this report.

The PD-R plan shows a development consisting of 15 four-unit condos buildings (60 units) with a clubhouse and pool. This differs from the original PD-R Plan which showed 18 four-unit condos. Three four-unit condos were removed from the flood plain area. Also, the name of Hunter Drive has been changed to Hunters Creek Drive.

### **RECOMMENDATION**

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The reports above indicate that there are items that need to be addressed most of which will be addressed at the Final Approval stage - at the subdivision stage..

Although the Planning Staff has no issues with the concept, the following items need to be addressed/changed:

1. Identify specifically (in text & plan map) the type of landscaping to be provided along Hunters Creek Drive; in the areas where the previous buildings were removed; and along Mud Run.
2. Identify who and how open areas will be maintained.
3. On the condo unit landscaping plan change the name "Abbey Canterbury Planting Plan" to "Creekside Condo Planting Plan"
4. Indicate whether the utilities will be public or private.

These items should be dealt with as soon as possible preferably prior to the Rural Zoning Commission action.

#### Attachments:

*PD Table*

*County Engineer's letter*

*Soil Conservation District's letter*

*Mad River Township Planning Committee letter*

*Mad River Township Trustee's letter*

*Surrounding Property Owner letter*

*Location Map*

*Zoning Map*

**CHAPTER 4 PLANNED DEVELOPMENT DISTRICT REQUIREMENTS AND PROCEDURES****Section A PD Planned Development Districts  
Requirements and Procedures**

1. Intent. The intent of the Planned Development Districts is to establish a zoning procedure for the development of areas on a planned basis in accordance with an overall Development Plan and specific procedures for site plan review and approval. In addition, it is proposed to be flexible in the regulation of basic land planning and to encourage imaginative site planning that serves the overall development. Planned Development Districts are intended to be located in areas which are served with appropriate infrastructure.
2. Purpose. The PD Planned Development District is established to:
  - (a) Permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modifications of requirements of the underlying zone will not be contrary to the intent and purpose of the Zoning Code, inconsistent with the Land Use Plan, nor harmful to the neighborhood.
  - (b) Conserve land through more efficient allocation of an overall development design through new techniques not available through strict adherence to usual zoning standards.
3. Applicability. The provisions of this Chapter may apply to any land within the unincorporated area of the County that are regulated by County Zoning, which are to be developed in a more flexible manner than permitted by the provisions of Chapter 2 of these Regulations. All requirements of the Clark County Subdivision Regulations shall be complied with.

ZONING REGULATIONS	COMMENTS
<p>4. Development Requirements.</p> <ol style="list-style-type: none"> <li>(a) The physical character of the site shall be suitable for development in the manner proposed, without hazards to persons or property on or off the site from possible flooding, erosion, subsidence or other dangers, annoyances or inconveniences.</li> <li>(b) The site shall have direct access to a major street* and not generate traffic on minor residential streets outside the district. This requirement does not apply to single family detached residential developments having an overall density of four dwelling units per acre or less.</li> <li>(c) Utilities and public facilities for the proposed development shall be installed at the expense of the developer.</li> <li>(d) The development shall provide for efficient, safe, convenient and harmonious grouping of structures, uses and facilities.</li> <li>(e) There shall be an appropriate relationship of space, inside and outside buildings, to the intended uses and structural features.</li> <li>(f) Provision shall be made at points of ingress, egress and within the district to ensure a free and safe flow of vehicular and pedestrian traffic.</li> <li>(g) Common areas and open space may be required.</li> <li>(h) All off-street common parking for more than five cars, all service areas for loading and unloading vehicles, and all areas for storage and collection of trash and garbage shall all be properly screened.</li> </ol>	<p>The site appears to be suitable but will need to allow for possible changes due to Flood Plain. This development will be similar to "Willows at Winding Creek", a successful condo adjacent to this tract.</p> <p>A new public street will provide almost direct access to Dayton-Springfield Road.</p> <p>This is being provided by the developer.</p> <p>The grouping will be similar to Willows at Winding Creek.</p> <p>A new public street will provide access to Dayton-Springfield Rd.</p> <p>An area for a clubhouse &amp; pool are provided.</p> <p>Not shown.</p>
<p>5. Standards for Planned Development "PD" Districts.</p> <ol style="list-style-type: none"> <li>(a) The planned development should be completed within the period of time specified in the schedule of development submitted by the developer.</li> <li>(b) The planned development shall not jeopardize public health, safety and morals.</li> </ol>	<p>Two phases. Total timetable - 4 years</p>

ZONING REGULATIONS	COMMENTS
<p>(c) The street system within the site shall be designed to adequately serve the proposed development, relative to use and type. If warranted or recommended by the County Engineer, the developer may be required to submit a traffic study to determine whether offsite improvements or devices are needed to maintain a suitable level of service on the adjacent public roadways.</p> <p>(d) The development should not impose an undue burden on public services, utilities, or other infrastructure and facilities, including fire and police protection.</p> <p>(e) The development plan shall contain such proposed covenants, easements and other provisions relating to the proposed development standards, as are reasonably required for public health, safety and morals.</p> <p>(f) The location and arrangement of structures, parking areas, walks, lighting and appurtenant facilities shall be compatible with the surrounding land uses, and any part of the planned development not used for structures, parking and loading areas, or accessways, shall be landscaped, improved, or otherwise used appropriately in concert with the overall development.</p> <p>(g) When a planned development provides for common open space, the total area of common open space provided at any stage of development shall, at a minimum, bear a relationship equal to or greater than to the total open space to be provided in the entire planned development as such stages or units completed or under development bear to the entire planned development.</p> <p>(h) A major change in the development plan is defined as:</p> <ol style="list-style-type: none"> <li>(1) an increase in the proposed baseline density of the entire project or any phase/section thereof of greater than 15%</li> <li>(2) a change in the proposed uses</li> <li>(3) a change in the proposed utilization of public infrastructure of more than 15%</li> </ol>	<p>The applicant indicates the plan is being modified to take comments from County Engineer into account.</p>
<p>6. Criteria for Approval. In approving an application for a Planned Development the reviewing authorities shall determine:</p> <p>(a) That the proposed development is consistent with the purpose and intent applicable standards of these Zoning Regulations and the Comprehensive Plan.</p> <p>(b) That each individual section of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability, or that adequate assurance will be provided that such objective will be attained.</p> <p>(c) That the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other Zoning Districts in these Regulations.</p> <p>(d) That the internal streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic.</p> <p>(e) That any part of the development not used for structures, parking and loading areas, or streets, shall be landscaped or otherwise improved unless left in a natural state.</p> <p>(f) The plan is acceptable, or will be acceptable, to the County Engineer, Clark Soil &amp; Water Conservation District, the Combined Health District or Ohio EPA and the provider of public sewer and water (if applicable).</p>	<p>The plan is shown as a PD-R. The Comprehensive Plan shows the area as Medium Density Residential which is 4 to 6 dwellings per acre gross density. This plan is at 5.77 units/acre.</p> <p>According to the applicant, the Homeowners Association will maintain the landscape for common areas and the natural open area along Mud Creek.</p> <p>These agencies have noted needed changes. The applicant is working on these modifications.</p>

ZONING REGULATIONS	COMMENTS
<p>(g) That significant cultural, historical, and natural amenities of the site are preserved and protected.</p> <p>(h) That common areas and open space will be managed and maintained for the long term.</p> <p>(i) That infrastructure, including sewer and water, will be sufficient for the needs of the occupants and not precipitate health or safety problems in the future.</p> <p>7. The applicant/owner/developer is encouraged to undertake informal discussions of a concept plan with the County Planning staff prior to submitting a preliminary PD plan.</p> <p>8. Preliminary PD Plan. The owner of land who wishes to develop his property according to the provisions of this chapter, shall submit six (6) copies of a preliminary PD plan and application for preliminary approval. The preliminary PD plan for the use and development of the area of land shall list all requested variations from requirements of the underlying district in which the tract of land is located. The preliminary PD plan may show a range of dimensions and need not have the specificity of the final plan. The application shall be accompanied by the following:</p> <p>(a) A location map affixed to the plan.</p> <p>(b) A preliminary PD plan of the proposed development drawn to an appropriate scale, showing:</p> <p>(1) Existing and proposed uses.</p> <p>(2) Topographic contours at two (2) foot intervals or less on the PD property and within two hundred (200) feet of the proposed development.</p> <p>(3) Location of floodplain and wetlands on the PD property and adjacent thereto.</p> <p>(4) Location of existing and proposed streets, including points of connection.</p> <p>(5) Location of existing and proposed utilities, including points of connection.</p>	<p>According to the applicant, the Homeowners Association will maintain the landscape for common areas and the natural open area along Mud Creek.</p> <p>County Utilities Dept. indicates there is adequate sewer &amp; water capacity for this project.</p> <p>Shown on plan drawing.</p> <p>The planned development is proposed for Clark County, Mad River Township, Ohio Section 12, Township 3, Range 8 consisting of 14.837 acres more or less. Currently, the parcel is used for agricultural purposes and we propose to develop a planned condominium community consisting of 60 units with clubhouse and pool.</p> <p>The parcel has changes in elevation less than two feet over the portion available for development. Adjacent property is already developed and has limited changes in elevation. (Topo map submitted).</p> <p>A flood zone encompassing Mud Run lies on the southern boundary and would be undisturbed. No wetlands have been identified on the parcel to be developed.</p> <p>A stub street off Dayton Springfield Road, designated as Hunters Creek Drive, has been approved for access to the parcel and will be installed simultaneously with the development of a shopping center by One Enon Company on a commercial lot to the north. This street would be continued to Mud Run and dedicated to Clark County, built to county standards. A singular, private access for the condominium would be established off this roadway. A private drive would service the condominium and be maintained by the association.</p> <p>An 8" waterline runs along the northeast boundary of the parcel and would be extended for use with the condominium. Water would be purchased from Clark County and supplied from the Village of Enon. An existing sewer manhole is located along the southeast corner of the parcel contributing to the Southwest Waste Treatment Facility.</p>

ZONING REGULATIONS	COMMENTS
(6) Location and type of drainage and storm water management facilities.	Two areas of detention are designated along the eastern most and western most boundaries of the property. These areas would use a controlled release into Mud Run.
(7) Approximate number of structures, by type use and size, proposed for the planned development.	The development would include fifteen (15) condominium buildings with four (4) units each for residential living. One clubhouse and one pool would be included for common use.
(8) For non-residential uses: a) building size-to-lot ratio b) plans for storage of any items outside of buildings c) signage standards	N/A
(9) Proposed general arrangement of the buildings.	Buildings would be clustered around the private street as shown on the layout exhibit.
(10) Location and area (size) of proposed open spaces either to be held in common or publicly, and whether it is to be used for active recreational purposes or only as an environmental amenity.	Limited common areas would be designated outside each unit for the primary use of that particular resident. The balance of the parcel not occupied by residential buildings would be common space for the recreational benefit of all condominium residents.
(11) Sketches to show the general architectural design of buildings, types and character of the development.	Creekside condominium would consist of two distinct building styles and four unique floor plans. The European design uses stone fronts, brick soldiers around round top windows shown on the elevation drawings included.
(12) Legal description of the tract of land for the planned development.	See attached Exhibit B.
(13) Parking provisions.	Each condominium unit will include a 2-car garage with 2 additional spaces off-street. The private street through the development will be wide enough for parking on one side. Appropriate parking will be provided for clubhouse use.
(14) Loading facilities, if any.	N/A
(15) Proposed landscaping approach (theme).	Each unit would be landscaped with small bushes and assorted perennials. Street trees and a landscaped entry feature would be incorporated and any unoccupied area remaining would be grassed. By removing three residential buildings, the plan will incorporate more open space which will (be) grassed as well. A typical screening unit has been approved for screening between the commercial lot to the north and Hunter's Glenn residential. This same typical screening unit would be continued along Hunters Creek Drive for screening of the condominiums. See Exhibit H.
(16) Such other information as is necessary to ascertain compliance with the requirements of this chapter.	Proposed Bylaws for condominium owners have been included illustrating the code of regulations for each homeowner.
(17) An overview of existing and planned uses in surrounding area and expected impact of the proposed development on them.	<b>North:</b> Commercial Shopping Center. Given planning in place and cooperation of developers, no impact would be expected considering close timing of developments. <b>East:</b> Condominium Development. The buildings will differ slightly and the condominium communities will be independent of one another making for harmonious neighbors. <b>South:</b> Agricultural. Current agricultural use will be separated by Mud Run and be unaffected. <b>West:</b> Single Family Residential. Joint access is not planned resulting in no impact.

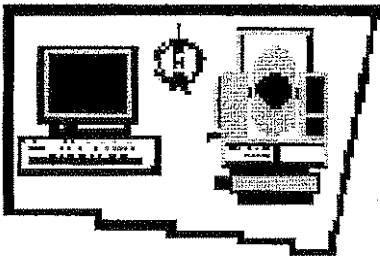
ZONING REGULATIONS	COMMENTS
(18) General description of natural features of the site (trees, vegetation, floodplain, wetlands, streams) and approach for preserving and protecting them during construction and final build out.	The parcel is vacant with no natural features. Mud Run and its associated floodplain will not be disturbed and general NPDES regulations will be adhered to.
(19) Proposed timetable for development including general description and diagram of phases of development.	Development will be broken into two phases (see Exhibit G). Build out for each phase would be expected to be two years for a total timetable of four years.

## CHAPTER 4

### Section B PD-R Planned Development - Residential District Requirements and Procedures

1. Intent. The intent of the PD-R district regulations is to:
  - (a) Provide flexibility in architectural design, placement and clustering of buildings, use of open space, provision of traffic circulation facilities and parking, and related site and design considerations;
  - (b) Encourage the preservation and best use of existing landscape features through development sensitive to the natural features of the surrounding area;
  - (c) Promote efficient land use with smaller networks of utilities and streets;
  - (d) Encourage and preserve opportunities for energy efficient development;
  - (e) Promote an attractive and safe living environment that is compatible with surrounding residential developments; and
  - (f) Provide an alternate method for redeveloping older residential areas and to encourage infill development.
2. Permitted Uses. Those uses specified as permitted principal uses, permitted accessory uses, and conditional uses in the "R-1", "R-2", "R-2A", "R-3", and/or "R-4" residential zoning districts, developed in a unified manner in accordance with the approved development plan.
3. Applicability. Housing shall be permitted as follows:
  - (a) For development of land of two (2) acres or more.
  - (b) For development of land less than two (2) acre where such development is more appropriate and more efficient than conventional development because of environmentally sensitive areas, existing natural features or scenic assets, the amount of land available for infill development, or because of the age of existing development in the vicinity.
4. General Requirements. All PD-R developments shall meet the following criteria:
  - (a) Land uses. Any residential uses are permitted. Combinations of land uses may include single-family, multifamily, and group care facilities.
  - (b) Variations. Variations in the requirements of the underlying district may be permitted. However, setbacks required by the Ohio Basic Building Code, legislated by the State of Ohio, or the Ohio Residential Code For One-, Two-, and Three-Family Dwellings, whichever is applicable, shall be provided.
  - (c) Dwelling unit density. The dwelling unit density shall be calculated on the buildable acreage (gross acreage less public and/or private street right-of-way, flood plain, etc.) divided by the minimum lot size (square footage) for the allowed "R" Zoning District. Lot sizes can be less than the minimum designated in the "R" District provided the dwelling unit density of the buildable acreage does not exceed the density permitted in the "R" District. Density should be in accordance with the comprehensive plan.

- (d) Streets. Planned developments shall make provision for the extension of streets, if any.
  - (e) Storm water management. The planned development shall comply with the requirements for storm water management, including the provision of detention or retention basins. The developer shall submit a legally binding instrument setting forth the procedures to be followed in maintaining the areas and the means for financing maintenance costs. Generally, such costs shall be shared by all owners of property located within the planned development, with unpaid costs becoming a lien against individual properties.
  - (f) Open space. Except in a conventional subdivision, planned developments are encouraged to provide open space for flood control, agriculture, active or passive recreational purposes, etc., and to enhance the general character of the area. In the event the open space land is to be retained under private ownership, the developer shall submit a legally binding instrument setting forth the procedures to be followed in maintaining the areas and the means for financing maintenance costs as with storm water detention or retention basins in Subsection (e) above.
  - (g) Dedication of land for public or common use. All proposed dedications of land for public or common use, including those to be dedicated for recreational use, shall be approved in writing by appropriate departments of the County before the approval of the plan by the County Commission.
  - (h) Ownership. At the time of approval of a preliminary plan, the developer must submit evidence of ownership of the property to be developed or show evidence of a legally binding executed option agreement for purchasing all the property.
  - (i) Schedule of completion. A developer or sponsor of a planned development shall submit a signed statement generally describing the proposed development and setting forth an intended time schedule for the completion of various phases.
  - (j) Other requirements. Other conditions may be imposed as deemed necessary to fulfill the purpose and intent of this chapter. Such conditions may include but are not limited to planting screens, fencing, construction commencement and completion dates, lighting, operational controls, improved traffic circulation, highway access restrictions, yards, and parking requirements.
5. Requirements for Areas less than Two (2) Acres. A PD-R plan for an area containing less than two (2) acres shall in addition to or in lieu of the requirements elsewhere above, meet the following requirements:
- (a) The density and design of the PD-R shall be compatible in use, size and type of structure, relative amount of open space, traffic circulation and general layout with adjoining land uses, and shall be integrated into the neighborhood.
  - (b) Multi-family structures located adjacent to existing single-family dwellings shall be sited, landscaped and screened by natural features and plant materials to harmoniously integrate the planned development with the surrounding neighborhood.
  - (c) The development shall not overburden existing streets and utilities.
  - (d) The development shall not adversely affect views, light and air, property values and privacy of neighboring properties any more than would a conventional development.



Clark County  
Engineer's Department  
4075 Laybourne Rd Springfield, Ohio 45505-3613  
Bruce C. Smith, P.E., P.S.  
Clark County Engineer

Office # (937) 328-2484

Fax # (937) 328-2473

[www.clarkcountyohio.gov/engineer](http://www.clarkcountyohio.gov/engineer)

July 26, 2005

Clark County Planning Commission  
25 West Pleasant Street  
Springfield, Ohio 45506  
Attention: Phil Tritle, Senior Planner

Re: **Z-2005-3 Creekside Condominiums**  
**Zoning Review Comments**

Mr. Tritle,

The County Engineer has reviewed the revised zoning application submitted for **Creekside Condominiums**, relative to the street layout/drainage system and offer the following comments relative to Chapter 4, Section A Paragraph 4:

- 1) Direct access to a major street is required, where the development density exceeds 4 units per acre. This plan indicates 5.77 units per acre. The proposed development plan does show a proposed public road being planned from Dayton Road south and extending approximately 1400 feet south to a point of terminus.
- 2) The proposed public street must meet or exceed collector street design standards for pavement width, composition and pedestrian traffic. The public road typical section proposed does not currently meet that requirement. These items are not typically reviewed or approved during the zoning process, but instead during the subdivision submission.
- 3) There is no street lighting proposed.
- 4) Provisions for vehicular traffic are addressed by proposing a private street system, consisting of an uncurbed street with enclosed side swales.
- 5) Concerning drainage & stormwater requirements, the site developer will be required to provide storage for stormwater runoff in accordance with local regulations. An outlet is available on site and the actual design will be incorporated into the site design, if approved.

The County Engineer has no objection to the proposal to rezone 14.837 acres from R-2 to PD-R Planned Development Residential, subject to the above comments.

Sincerely,  
Bruce C. Smith P.E., P.S.  
Clark County Engineer

Kenneth D. Fenton  
Deputy Engineer

K:\Miscellaneous Reviews\Creekside Condos\Review comments 061405.doc

Donald Boyle – Road Superintendent  
Paul W. DeButy P.E. – Design Engineer  
Kenneth D. Fenton, P.S., Deputy Engineer  
Doug Frank – Bridge Superintendent  
Pamela Fulton – Office Assistant

William A. Pierce, P.S. – LIS Director  
Shayne Gray – GIS/CAD Coordinator  
Mark Niccolini – Ditch Maintenance Supervisor  
Lew Richards – Traffic Supervisor  
Ned G. Weber, Deputy Engineer



4400 Gateway Blvd. - Suite 103  
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*With the Right to Own – Goes the Duty to Conserve*

#### BOARD OF SUPERVISORS

Paul Snyder, Chairman  
Alan Donaldson, Vice Chairman  
John Ritter, Treasurer  
David Stickney, Fiscal Agent  
Adam Agle, Secretary

July 26, 2005

Mr. Phil Tritle  
Clark County Planning Department  
25 West Pleasant St.  
Springfield, OH 45506

Re: Z-2005-3~White Oak Communities/Creekside Communities  
Dayton Rd. ~ Mad River Twp. ~ 14.8 acres

Mr. Tritle,

The Clark Soil & Water Conservation District has reviewed the above request and provided the following comments regarding soils, drainage and stormwater management.

Soil types on this site include Eldean (EmA), which are nearly level and well drained. Soil limitations for dwellings with or without basements are rated Slight-Moderate due to shrink/swell. Because sewer and water is available, the Soil Potential Index ratings are not included.

Construction activities which will result in the disturbance of one or more acres of land must obtain coverage by the National Pollutant Discharge Elimination System (NPDES) permit. The owner/developer shall submit a Notice of Intent application to Ohio EPA at least 21 days prior to the start of construction. The NPDES Phase II Construction Permit was finalized in 2003 and requires additional components to address stormwater in developments. One specific component includes Post-Construction Stormwater Management. A combination of both structural and non-structural BMPs should be utilized, such as grassed swales, infiltration trenches and basins, and greenspace. It is recommended that a "preliminary SWPPP" be provided to our office for review prior to submittal of final plans to County Planning.

#### Chapter 4 ~ Planned Development District Requirements and Procedures

##### Section A. 6. Criteria for Approval.

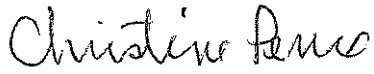
**h) That commons areas and open space will be managed and maintained for the long term.** Specify how the open areas, specifically along Mud Run will be maintained. Although plans have indicated that the floodplain will be left undisturbed, additional information is needed regarding ownership and maintenance of the area.

##### Section A. 8. Preliminary PD Plan

**10) Location and size of proposed open space, and whether it is to be used for active recreational purposes or only as an environmental amenity.** Specify how the open areas, specifically along Mud Run will be maintained. Although plans have indicated that the floodplain will be left undisturbed, additional information is needed regarding ownership and maintenance of the area.

This office does not object to the proposed zoning request, providing the above items are addressed.

Respectfully,

A handwritten signature in cursive script that reads "Christine Pence".

Christine L. Pence, CPESC  
Urban Coordinator

**CC: Dean Fenton, County Engineers**  
**Scott Owens, Creekside Communities, Inc.**

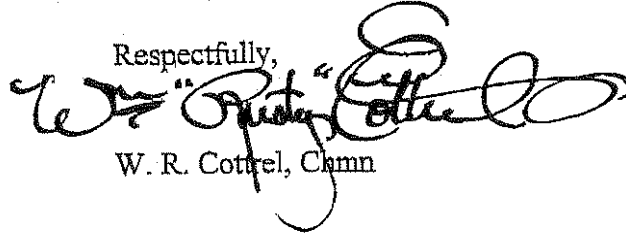
**Mad River Township Planning Committee**  
***"Preserving Our Rural Heritage"***

June 20, 2005

Attachment (2): Comments on proposal for "Creekside"

This proposal does not meet the requirements of the Clark County Crossroads Comprehensive Land Use Plan, and therefore the Mad River Township Planning Committee recommends denial of the project.

Respectfully,

A handwritten signature in cursive script, appearing to read "W. R. Cottrell".

W. R. Cottrell, Chmn

## MAD RIVER TOWNSHIP

Trustees: Robert McClure, Jr., Richard J. Schumann, Kathy Estep

Clerk: James A. Matthews

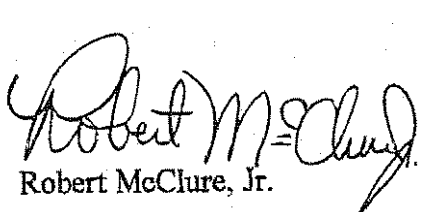
260 East Main Street, Box 34, Enon, OH 45323

[www.madrivertownship.org](http://www.madrivertownship.org)

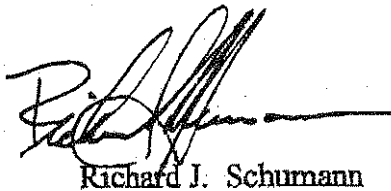
June 20, 2005

Subject: Project Proposals for July Planning Commission Meeting

The Mad River Township Trustees have reviewed the memoranda from the Mad River Township Planning Committee pertaining to the proposals regarding "the Bluffs", "Creekside", and the Watts property on Fowler Road. We concur with their comments and recommendations.



Robert McClure, Jr.



Richard J. Schumann



Kathy Estep

5-21-05

Clark County Planning Comm.  
Mr. Tittle

If the Clark County  
Rural Zoning Commission  
approves this request  
Z-2005-3 and the  
Clark County approves.

a rezone from R2 to  
PDR for the 14.837 acres  
is that correct.

Could this also be  
put to a vote on a  
referendum as was the  
acreage behind the  
Willow PDR.

It's obvious that an Enon  
City group and the MRT  
Trustees are against growth  
and Clark County actions.



Russell D. Harrod  
3033 Willow Run Cir.  
Enon, OH 45323

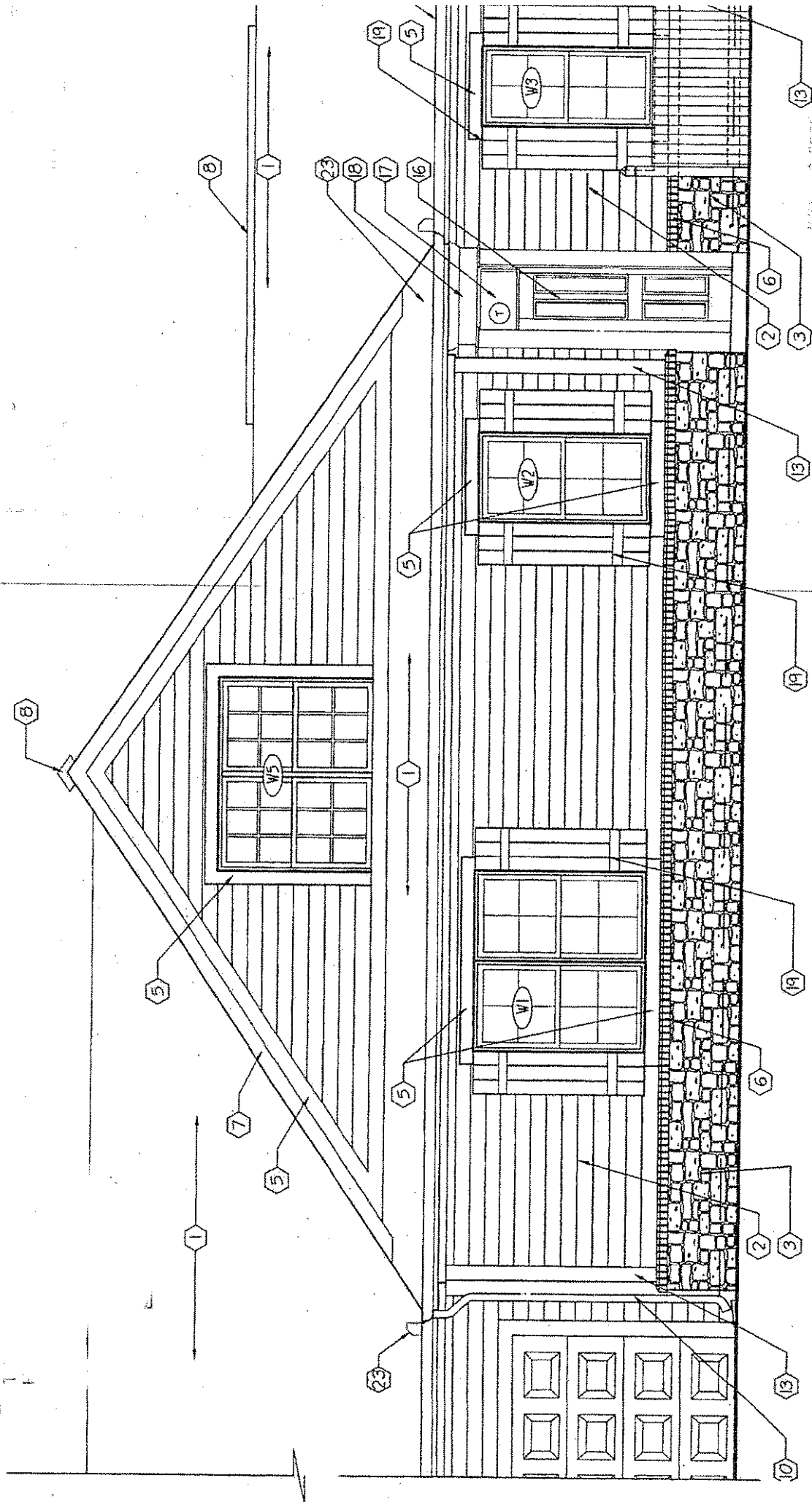
Russell D. Harrod

## BYLAWS INDEX

### PAGE

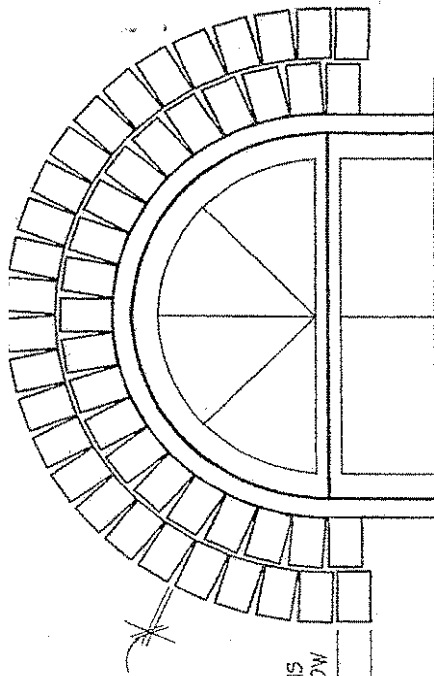
NAME AND LOCATION (ARTICLE I)	a
DEFINITIONS (ARTICLE II)	a
UNIT OWNERS (MEMBERS) (ARTICLE III)	a
Composition (Section 1)	a
Annual Meetings (Section 2)	a
Special Meetings (Section 3)	a
Notice of Meetings (Section 4)	a
Conduct of Meetings (Section 5)	a
Quorum; Adjournment (Section 6)	a
Voting Rights (Section 7)	a
Voting Power (Section 8)	b
Proxies (Section 9)	b
Action in Writing Without Meeting (Section 10)	b
BOARD OF TRUSTEES: (BOARD OF MANAGERS) (ARTICLE IV)	b
Initial Trustees (Section 1)	b
Successor Trustees (Section 2)	b
Removal (Section 3)	b
Qualification (Section 4)	b
Nomination (Section 5)	c
Election (Section 6)	c
Compensation (Section 7)	c
Regular Meetings (Section 8)	c
Special Meetings (Section 9)	c
Quorum (Section 10)	c
Voting Power (Section 11)	c
Action in Writing Without Meeting (Section 12)	c
Powers and Authority (Section 13)	c
Duties (Section 14)	d
Delegation of Authority; Management; Contracts (Section 15)	d
OFFICERS (ARTICLE V)	e
Enumeration of Officers (Section 1)	e
Selection and Term (Section 2)	e
Special Appointment (Section 3)	e
Resignation and Removal (Section 4)	e
Duties (Section 5)	e
COMMITTEES (ARTICLE VI)	e
BOOKS AND RECORDS (ARTICLE VII)	e
AUDITS (ARTICLE VIII)	f
FISCAL YEAR (ARTICLE IX)	f
AMENDMENTS (ARTICLE X)	f

# BUILDING STYLE



JUN 3 2005

ATLANTA, GA



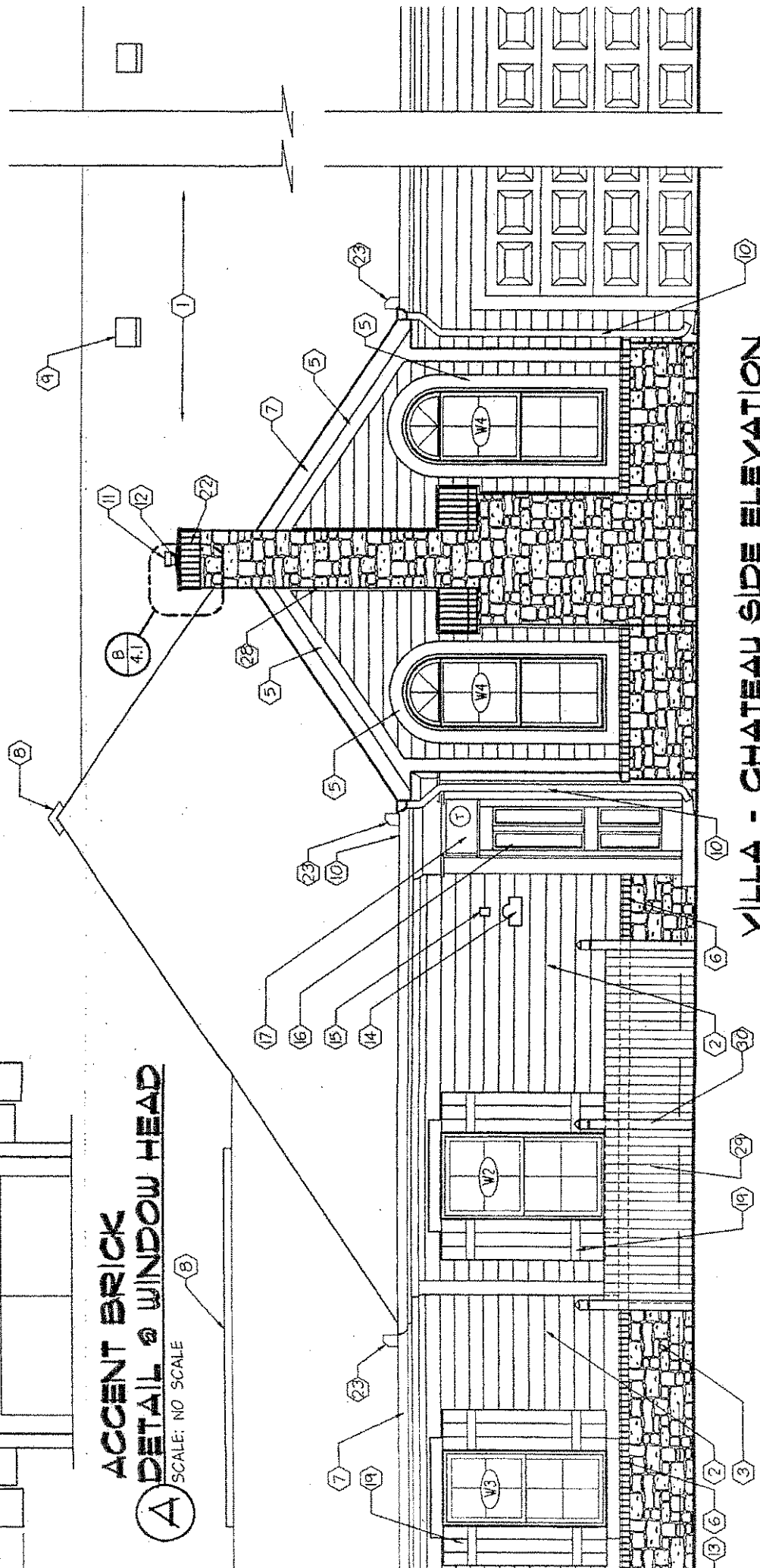
**ACCENT BRICK  
DETAIL @ WINDOW HEAD**

**A**

SCALE: NO SCALE

**BUILDING STYLE**

- (12) PREFABRICAT
- (13) 5/4 X 4 &  
DRIED (PAD)  
PROVIDE SAT
- (14) ADDRESS PL
- (15) EXTERIOR LIG
- (16) METAL INSUL
- TRANSOM, RE



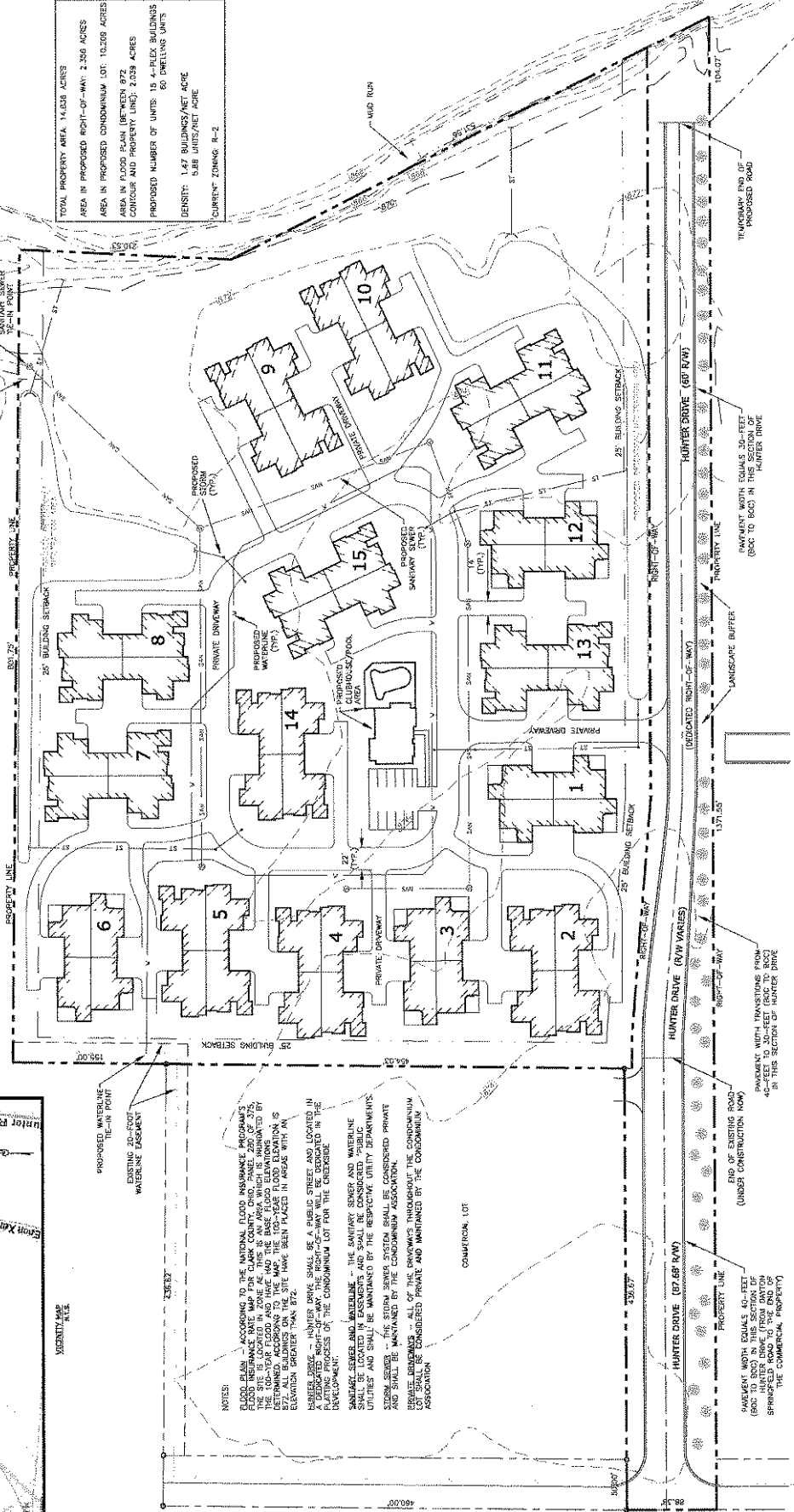
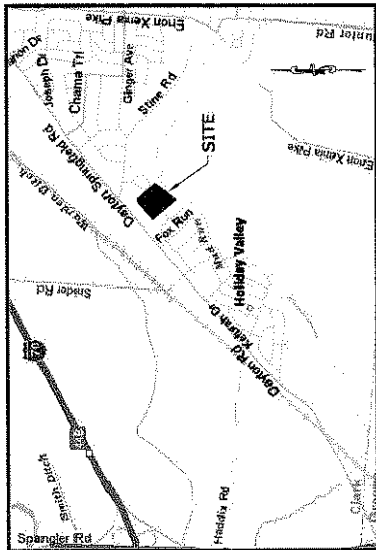
**VILLA - CHATEAU SIDE ELEVATION**

SCALE: 1/4"=1'-0"

# CREEKSIDE CONDOMINIUMS

## MAD RIVER TOWNSHIP

## CLARK COUNTY, OHIO

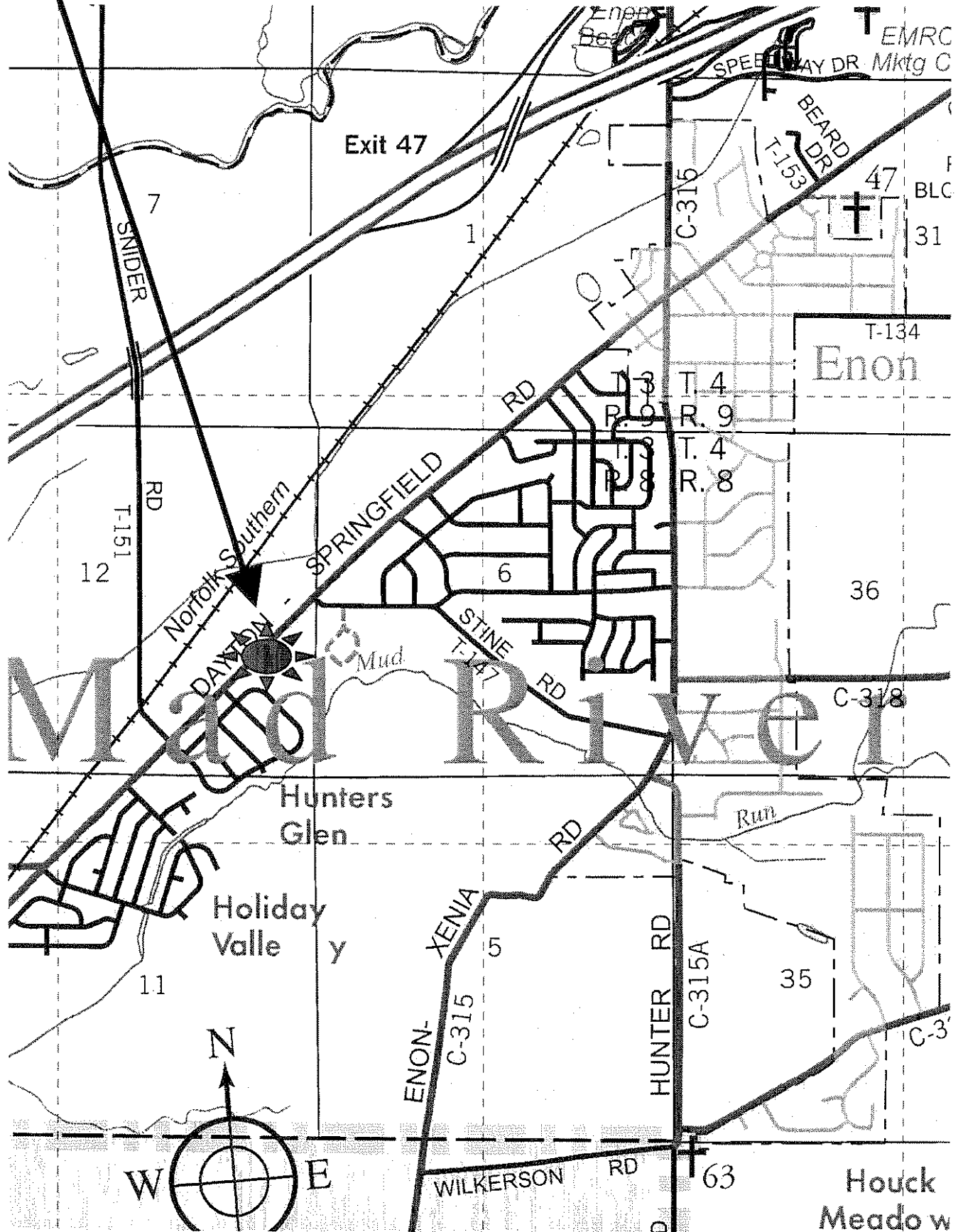


TOTAL PROPERTY AREA: 14.638 ACRES  
 AREA IN PROPOSED RIGHT-OF-WAY: 2.266 ACRES  
 AREA IN PROPOSED CONDOMINIUM LOT: 10.208 ACRES  
 AREA IN FLOOD PLAIN (BETWEEN 872 CONTOUR AND PROPERTY LINE): 2.038 ACRES  
 PROPOSED NUMBER OF UNITS: 15 4-BED BUILDINGS  
 DENSITY: 1.47 BUILDINGS/NET ACRE  
 0.88 UNITS/NET ACRE  
 CURRENT ZONING: R-2

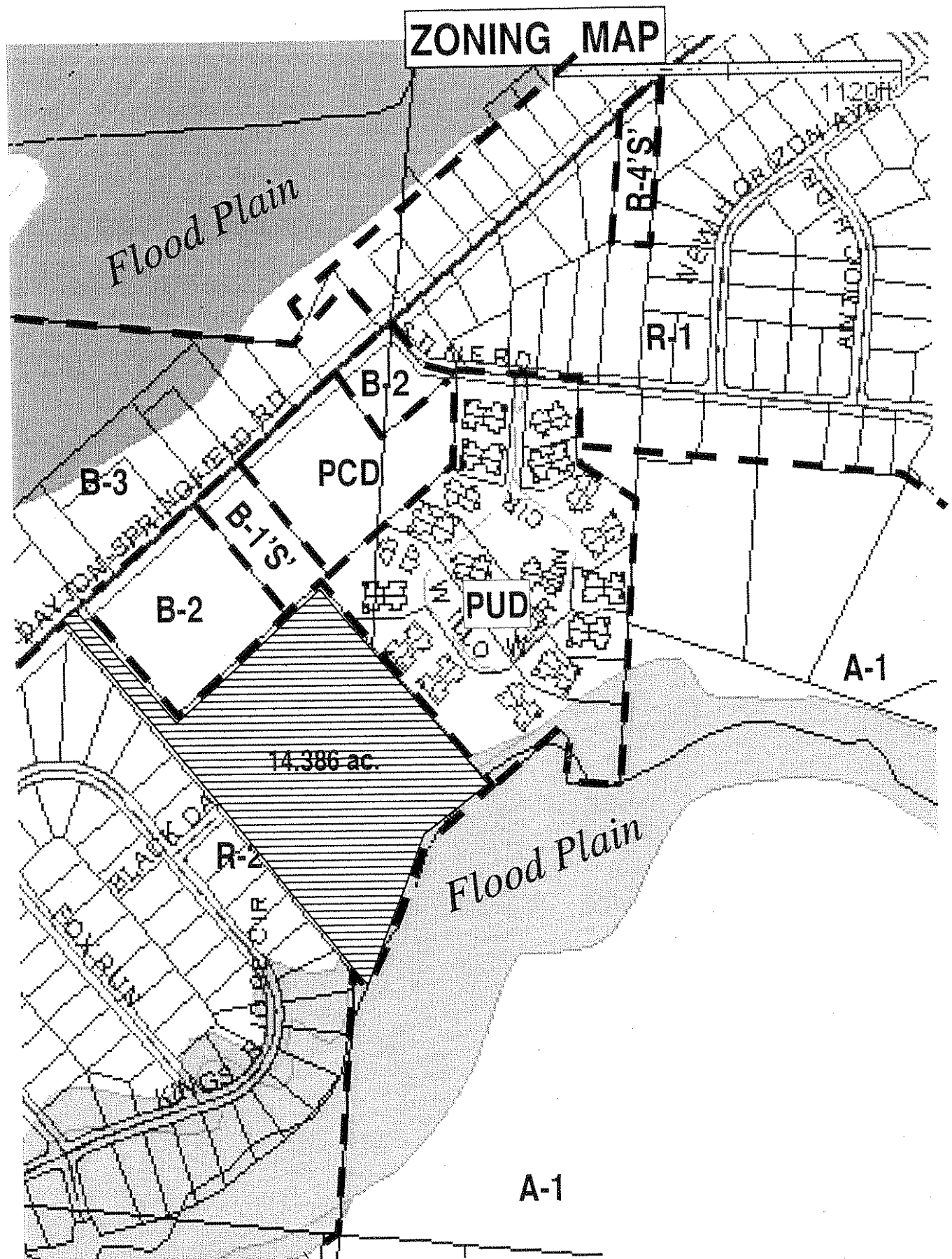
NOTES:  
 1. FLOOD PLAIN - ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM'S (NFIP) FLOOD MAP, THE AREA SHOWN AS A FLOOD PLAIN IS AN AREA WHICH IS MAINTAINED BY THE U.S. ARMY CORPS OF ENGINEERS (USACE) AND HAS BEEN DETERMINED TO BE A FLOOD PLAIN. THE 100-YEAR FLOOD AND HAVE THE BASE FLOOD ELEVATIONS (BFE) SHOWN ON THE MAP. THE BFE FOR THE 100-YEAR FLOOD IS 872. ALL BUILDINGS ON THE SITE HAVE BEEN PLACED IN AREAS WITH AN ELEVATION GREATER THAN 872.  
 2. HUNTER DRIVE - HUNTER DRIVE SHALL BE A PUBLIC STREET AND LOCATED IN THE PLANNING PROCESS OF THE CONDOMINIUM LOT FOR THE CREEKSIDE DEVELOPMENT.  
 3. SANITARY SEWER AND WATERLINE - THE SANITARY SEWER AND WATERLINE SHALL BE LOCATED IN EASEMENTS TO THE SPECIFIC UTILITY DEPARTMENTS. THE SANITARY SEWER AND WATERLINE SHALL BE MAINTAINED BY THE CONDOMINIUM ASSOCIATION. THE SANITARY SEWER AND WATERLINE SHALL BE MAINTAINED BY THE CONDOMINIUM ASSOCIATION.  
 4. PRIVATE DRIVEWAYS - ALL OF THE DRIVEWAYS THROUGHOUT THE CONDOMINIUM LOT SHALL BE CONSIDERED PRIVATE AND MAINTAINED BY THE CONDOMINIUM ASSOCIATION.

<b>CREEKSIDE CONDOMINIUMS</b> Mad River Township Clark County, Ohio <b>"PLANNED DEVELOPMENT"</b> <b>PRELIMINARY</b> PLAN	SHEET NUMBER 1" = 50' SCALE
DESIGNED BY: HCB CHECKED BY: JMG JOB NUMBER: 95-004 DATE: 07-06-05 DWG FILE: 004-004-004.dwg	REVISIONS 1) 07-06-05 REVISION LAYOUT 2) 3) 4) 5)
PREPARED FOR: NEWTON SQUARE COMPANY C/O BOX 9 CANTFIELD, OHIO 44406 PH 330-533-1424	PREPARED BY: BUCKEYE CIVIL DESIGN, LLC P.O. Box 283 North Lima, Ohio 44452 Phone 330-549-9051 Fax 330-549-9053 "A Civil Engineering and Land Planning Company"

# LOCATION MAP



**REZONING CASE # Z-2005-3 R-2 to PD-R**



**REZONING CASE #Z-2005-3**  
**R-2 to PD-R**

**14.836 ac.**

**7689 Dayton-Springfield Rd.**  
**Mad River Twp.**

July 26, 2005

TO: Clark County Planning Commission

FROM: Planning Staff

SUBJECT: PROPOSED ZONING AMENDMENTS

The Clark County Zoning Inspector has noted several areas of the Clark County Zoning Regulations which are unclear. We agree that these items would be better understood with some minor rewording. Therefore, we have prepared proposed amendments to the County Zoning text as noted on the attached pages.

We are recommending approval of these amendments. These amendments will be forwarded to Rural Zoning Commission and eventually to the Clark County Commission for their consideration and action.

-----  
Both sets of changes are in CHAPTER 2 -

**SECTION A.** combines Agriculture uses & Agricultural Related Processing into one category. In other words, existing uses in 1. & 2. (under CURRENT TEXT) are combined into # 1. (under PROPOSED TEXT)

**SECTION A.** changes uses 3., 4., & 5. existing as separate items (under CURRENT TEXT) into one item # 2. (under PROPOSED TEXT) with the 40 acre minimum lot and noting the exception for lotsplits, cluster lotsplits and bonus cluster lotsplits. Nothing really changes under this proposal. We think it's less confusing.

**SECTION B.** under Footnote 2 (CURRENT TEXT) shows a Table indicating *Frontage, Lot Size, and Setbacks* based on available utilities. The revised Table for Footnote 2 (under PROPOSED TEXT) clarifies all of these attributes into a simpler form.

Attachments:

CHAPTER 2, Section A. & Section B.

# SECTION A

[ eff: 5-3-01]

AGRICULTURAL DISTRICT

A-1 AGRICULTURAL

## CURRENT TEXT

PRINCIPAL PERMITTED AND CONDITIONED USES:	MINIMUM ZONING LOT REQUIREMENTS						MAXIMUM HEIGHT		FOOTNOTES  (Restrictions)
	LOT SIZE (Area)	FRONTAGE	YARD REQUIREMENTS (Feet)				(Feet)	(Stories)	
		WIDTH * (feet)	FRONT (Setback) **	SIDE		REAR (Setback)			
				LEAST WIDTH	SUM of BOTH				
1. Agriculture, Farm Markets, & related buildings & structures	- -	- -	- -	- -	- -	- -	- -	- -	1, 2, 3, 5, 5a, 16, 31
2. Agricultural-Related Processing & Marketing	1 Acre	150	50	30	60	50	35	2	5, 8
3. Single-Family Residential	40 Acre	500	40	25	60	60	35	2	2, 5, 5a, 6
4. Single-Family Residential (restricted to lotsplits)	1 Acre #	150	40	25	60	60	35	2	2, 5, 5a, 6
5. Single-Family Residential (restricted to cluster lotsplits & bonus cluster lotsplits)	1 Acre #	- -	40	25	60	60	35	2	2, 4, 5, 5a
6. Private Landing Field	- -	- -	- -	- -	- -	- -	- -	- -	7
7. Day-Care Homes	- -	- -	- -	- -	- -	- -	- -	- -	2, 5, 26
8. Bed and Breakfast [eff: 4-2-2000]	- -	- -	- -	- -	- -	- -	- -	- -	2, 5, 30

# Maximum LOT  
SIZE - 4.99 Acre

- \* The frontage is measured at the minimum zoning front setback line. Lots 5 to 10 acres in size shall have a minimum frontage of 250 feet and lots more than 10 acres in size shall have a minimum frontage of 350 feet.

## PROPOSED TEXT

PRINCIPAL PERMITTED AND CONDITIONED USES:	MINIMUM ZONING LOT REQUIREMENTS						MAXIMUM HEIGHT		FOOTNOTES  (Restrictions)
	LOT SIZE (Area)	FRONTAGE	YARD REQUIREMENTS (Feet)				(Feet)	(Stories)	
		WIDTH * (feet)	FRONT (Setback) **	SIDE		REAR (Setback)			
				LEAST WIDTH	SUM of BOTH				
1. Agriculture, Farm Markets, <u>Agricultural-Related Processing &amp; Marketing</u> & related buildings & structures	<u>1 Acre</u>	<u>150</u>	<u>50</u>	<u>30</u>	<u>60</u>	<u>50</u>	<u>35</u>	<u>2</u>	1, 2, 3, 5, 5a, <u>8</u> , 16, 31
<del>2. Agricultural-Related Processing &amp; Marketing</del>	<del>1 Acre</del>	<del>150</del>	<del>50</del>	<del>30</del>	<del>60</del>	<del>50</del>	<del>35</del>	<del>2</del>	<del>5, 8</del>
2. Single-Family Residential <u>EXCEPTIONS to 40 acre -</u>	40 Acre	500	40	25	60	60	35	2	2, 5, 5a, 6
<u>a. Single-Family Residential (restricted to lotsplits)</u>	1 Acre #	150	40	25	60	60	35	2	2, 5, 5a, 6
<u>b. Single-Family Residential (restricted to cluster lotsplits &amp; bonus cluster lotsplits)</u>	1 Acre #	- -	40	25	60	60	35	2	2, 4, 5, 5a
3. Private Landing Field	- -	- -	- -	- -	- -	- -	- -	- -	7
4. Day-Care Homes	- -	- -	- -	- -	- -	- -	- -	- -	2, 5, 26
5. Bed and Breakfast (eff: 4-2-2000)	- -	- -	- -	- -	- -	- -	- -	- -	2, 5, 30

# Maximum LOT  
SIZE - 4.99 Acre

- \* The frontage is measured at the minimum zoning front setback line. Lots 5 to ~~10~~ 39.99 acres in size shall have a minimum frontage of 250 feet, lots ~~more than 10~~ more than 10 to 39.99 acres in size shall have a minimum frontage of 350 feet and lots 40 acres or more in size shall have a minimum frontage of 500 feet.

## SECTION B [eff: 4-4-96]

SINGLE-FAMILY RESIDENCE DISTRICTS R-1, R-2, R-2A, & R-2B  
 REFERENCES TO FOOTNOTES (Restrictions) [Right Hand Column on Table]

### CURRENT TEXT

2. All Principal, Conditioned, and Conditionally Permitted Uses shall have a minimum frontage, and lot size (area), and setbacks as noted below: [eff: 6-1-2000]

UTILITIES SERVING PROPERTY	FRONTAGE	LOT SIZE
No public sewer or water * -	150'	1 acre
Public water only -	125'	¾ acre
Public sewer only -	100'	½ acre

\* IN ADDITION TO THE MINIMUM FRONTAGE & LOT SIZE NOTED ABOVE, USES WITHOUT PUBLIC SEWER AND WATER SHALL MEET THE FOLLOWING MINIMUM SETBACK REQUIREMENTS:

SETBACKS -	Front	Side		Rear
	40 feet	<u>Least Width</u> 15 Feet	<u>Sum of Both</u> 50 Feet	60 Feet

### PROPOSED TEXT

2. All Principal, Conditioned, and Conditionally Permitted Uses not served by public sewer and/or water shall have a minimum frontage, lot size (area), and setbacks as noted below: [eff: 6-1-2000]

UTILITIES SERVING PROPERTY	FRONTAGE	LOT SIZE	SETBACKS			
			<u>Front</u>	<u>Side</u> <u>(Least Width)</u>	<u>Side</u> <u>(Sum of Both)</u>	<u>Rear</u>
No public sewer or water -	150 feet	1 acre	40 feet	15 feet	50 feet	60 feet
Public water only -	125 feet	¾ acre	35 feet	12 feet	30 feet	50 feet
Public sewer only -	100 feet	½ acre	35 feet	12 feet	30 feet	50 feet

# CLARK COUNTY ZONING

General Uses - see zoning text for details and other restrictions

May 2003

## A-1

PRINCIPAL PERMITTED AND CONDITIONED USES:	
1. Agriculture, Farm Markets, & related buildings & structures 2. Agricultural-Related Processing & Marketing 3. Single-Family Residential 4. Single-Family Residential (restricted to lotsplits) 5. Single-Family Residential (restricted to cluster lotsplits & bonus cluster lotsplits) 6. Private Landing Field 7. Day-Care Homes 8. Bed and Breakfast	
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	
1. Home Occupations 2. Private and Public Outdoor Recreation Areas 3. Cemeteries 4. Animal Hospitals, Veterinary Clinics & Kennels 5. Resource and Mineral Extraction 6. Demolition Disposal Facility 7. Airports 8. Radio, Television, & Telecommunications Transmission & Receiving Towers 9. Hospitals and Auxiliary Facilities 10. Group Care Home 11. Nursing Homes, Convalescent Homes, & Rest Homes 12. Feed Lot, Grain Elevators, & Slaughterhouses 13. Day-Care Centers 14. Churches and Similar Places of Worship 15. Primary and Secondary Schools 16. Institutions of Higher Learning 17. Garden Centers and Greenhouse	

## AR-1, AR-2, AR-5, AR-10, & AR-25

PRINCIPAL PERMITTED AND CONDITIONED USES:	AR-1	AR-2	AR-5	AR-10	AR-25
1. Agriculture, Farm Markets, & related buildings & structures	Y	Y	Y	Y	Y
2. Single-Family Residences	Y	Y	Y	Y	Y
3. Day-Care Homes	Y	Y	Y	Y	Y
4. Bed and Breakfast	Y	Y	Y	Y	Y
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	AR-1	AR-2	AR-5	AR-10	AR-25
1. Home Occupations	Y	Y	Y	Y	Y
2. Churches and Similar Places of Worship	Y	Y	Y	Y	Y
3. Primary and Secondary Schools	N	Y	Y	Y	Y
4. Institutions of Higher Learning	N	N	Y	Y	Y

## R-1, R-2, R-2A, R-2B

PRINCIPAL PERMITTED AND CONDITIONED USES:	R-1	R-2	R-2A	R-2B
1. Single-Family Dwellings	Y N N N	Y Y N N	Y Y Y N	Y Y Y Y
2. Bed and Breakfast	Y N N N	Y Y N N	Y Y Y N	Y Y Y Y
3. Agriculture and Related Buildings and Structures	--	--	--	--
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	R-1	R-2	R-2A	R-2B
1. Home Occupation	Y	Y	Y	Y
2. Churches & similar places of worship	Y	Y	Y	Y
3. Primary & Secondary Schools	Y	Y	Y	Y
4. Institutions of Higher Learning	Y	N	N	N
5. Hospitals & Auxiliary Facilities	Y	Y	Y	N
6. Group Care Homes	Y N N N Y	Y Y N N Y	Y Y N N Y	Y Y Y Y Y
7. Farm Markets	Y	Y	Y	Y
8. Cemeteries	Y	N	N	N
9. Day-Care Homes	Y N N N Y	Y Y Y Y Y	Y Y Y Y Y	Y Y Y Y Y
10. Nursing Homes, Convalescent Homes, Rest Homes	Y	Y	Y	N
11. Radio, Television & Telecommunication Transmission / Receiving Towers	Y	N	N	N
12. Zero Lot Line, Cluster, Detached, Semi-detached Dwellings, or other housing types of a similar character	N	Y	Y	Y

## R-MHP

PRINCIPAL PERMITTED USES:
1. Mobile Homes
2. Manufactured Homes
3. Communal Facilities

Y = Yes (Permitted)      N = No (Not Permitted)

## R-3 & R-4

PRINCIPAL PERMITTED AND CONDITIONED USES:	R-3	R-4
1. Single-Family Dwellings	Y	Y
2. Two-Family Dwellings	Y	Y
3. Three-Family Dwellings	N	Y
4. Four-Family Dwellings	N	Y
5. Multiple-Family Dwellings	N	Y
6. Condominium Residences	N	Y
7. Agriculture and Related Buildings & Structures	Y	Y
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	R-3	R-4
1. Zero Lot Line, Cluster, Detached, Semi-detached, or Attached Dwellings, or other housing types of a similar character	Y	Y
2. Home Occupation	Y	Y
3. Churches & similar places of worship	Y	Y
4. Group Care Homes	Y	Y
5. Day-Care Homes	Y	Y
6. Day-Care Centers	N	Y
7. Community Facilities	N	Y

## PD

PRINCIPAL PERMITTED USES:
1. PD-R (Residential)
2. PD-O (Office)
3. PD-B (Business)
4. PD-I (Industrial)
5. PD-M Mixed Uses
6. PD-C (Conservation)
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)
1. Home Occupation

# CLARK COUNTY ZONING

General Uses - see zoning text for details and other restrictions

May 2003

## B-1, B-2, B-3 & B-4

PRINCIPAL PERMITTED AND CONDITIONED USES:	B-1	B-2	B-3	B-4
1. Business and/or Professional Offices	Y	Y	Y	Y
2. Banks & Financial Institutions	Y	Y	Y	Y
3. Eating & Drinking Places, excluding Drive-in or Carry-out	Y	Y	Y	Y
4. Radio and Television Broadcasting Studios	Y	Y	Y	Y
5. Funeral Homes & Mortuaries	Y	Y	Y	Y
6. Automotive Service Stations	Y	Y	Y	Y
7. Custom Butcher Shops	Y	Y	Y	Y
8. Indoor Motion Picture Theaters	N	Y	Y	Y
9. Retail Food Stores	N	Y	Y	Y
10. Drive-in, Fast Food, Drive-in Carry-out Restaurants and/or Drive-through Retail Establishments	N	Y	Y	Y
11. Garden Centers, Greenhouses	N	Y	Y	Y
12. Automotive Repair Garages	N	Y	Y	Y
13. Car Washes	N	Y	Y	Y
14. Air Conditioning, Plumbing, Heating, and Roofing Shops	N	Y	Y	Y
15. Automotive & Auto Accessory Sales	N	Y	Y	Y
16. Building and Related Trades	N	Y	Y	Y
17. Commercial Recreation Establishments	N	Y	Y	Y
18. Animal Hospitals, Veterinary Clinics, and Kennels	N	N	Y	Y
19. Building Material Sales Yard	N	N	Y	Y
20. Drive-In Motion Picture Theater	N	N	Y	Y
21. Private and Public Outdoor Recreation Areas	N	N	Y	Y
22. Motels and Hotels	N	N	Y	Y
23. Hospitals & Auxiliary Facilities	N	N	Y	Y
24. Automotive Body Shop	N	N	Y	Y
25. Carpenter, Sheet Metal & Sign Painting Shop, Bakery, Laundry, Wholesale Business	N	N	N	Y
26. Bottling of Soft Drinks and Milk or Distributing Stations	N	N	N	Y
27. Contractor's Equipment Storage Yard or Storage & Rental Contractor's Equipment	N	N	N	Y
28. Motor Vehicle, Boat, & Camper Storage	N	N	N	Y
29. Trucking and Motor Freight Station or Terminal	N	N	N	Y
30. Carting, Express, or Hauling Establishments	N	N	N	Y
31. Stone or Monument Works	N	N	N	Y
32. Mini-Warehouse or Self Storage Facilities	N	N	N	Y

## B-1, B-2, B-3 & B-4

CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	B-1	B-2	B-3	B-4
1. Commercial Recreation Establishments	Y	--	--	--
2. Day-Care Centers	Y	Y	Y	Y
3. Nursing Homes, Convalescent Homes, Rest Homes	Y	Y	Y	Y
4. Clubs, Fraternal or Lodge Organizations	Y	Y	Y	Y
5. Animal Hospitals, Veterinary Clinics, and Kennels	Y	Y	--	--
6. Bars and Taverns	N	Y	Y	Y
7. Wholesale Establishments	N	N	Y	Y
8. Adult Entertainment Establishments	N	N	N	Y

## I-1

PRINCIPAL PERMITTED AND CONDITIONED USES:
1. Industrial & Manufacturing Establishments
2. Warehouses
3. Wholesale Establishments
4. Manufacturing Retail Outlets
5. Any use permitted and as regulated as a Principal Permitted or Conditioned Use in the B-4 District
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)
1. Any use permitted and as regulated as a Conditionally Permitted Use in the B-4 District
2. Junkyards & Automobile Wrecking Yards
3. Resource and Mineral Extraction
4. Penal & Correctional Facilities
5. Sanitary Landfills

## O-1 & OR-2

PRINCIPAL PERMITTED AND CONDITIONED USES:	O-1	OR-2
1. Business and/or Professional Offices, including Medical and Dental Clinics	Y	N
2. Banks and Financial Institutions	Y	N
3. Law, Real Estate, and Insurance Offices	Y	N
4. Business Service Establishments	Y	N
5. Single-Family Dwellings	N	Y
6. Incidental Business Uses	N	Y

Y = Yes (Permitted)

N = No (Not Permitted)